

CITY OF SAN ANTONIO
Zoning Commission Agenda

Board Room
First Floor, Development Business Service Center
1901 S. Alamo

April 18, 2006
Tuesday, 11:30 A.M.

ZONING COMMISSIONERS

Michael Westheimer – District 1	Jody Sherrill – District 7
Juretta Marshall – District 2	Dr. Morris A. Stribling – District 8
Don Gadberry – District 3	Susan Wright – District 9
Eiginio Rodriguez – District 5	Robert R. Robbins – District 10
Christopher Martinez – District 6	James Gray – District Mayor
Henry Avila – District 4	
Chairman	

1. **Work Session presentation by zoning staff to discuss proposed amendments to Chapter 35, Unified Development Code, Appendix “A”, by adding a definition for “*formula restaurants*” and for amending Section 35-338, “RIO” River Improvement Overlay Districts and existing “RIO-1”, “RIO-2”, “RIO-3”, “RIO-4”, “RIO-5”, “RIO-6” overlay districts to provide provisions addressing “*formula restaurants*” and limitations on the size of certain restaurants and cafeterias and zoning case recommendations and other items for consideration on agenda for April 18, 2006, at 11:30 A.M. Tobin Room, 1901 S. Alamo, Development Business Services Center.**
2. Call to Order – Board Room – 1:00 PM.
3. Roll Call.
4. Pledge of Allegiance.
5. Director’s Report.
6. Approval of April 4, 2006 Minutes.
7. **ZONING CASE NUMBER Z2006062: WITHDRAWN** The request of Brown, P. C., Applicant, for Sonrise Church and School, Owner(s), for a change in zoning from “C-3R” Commercial Restrictive Alcoholic Sales District and “C-2” Commercial District to “MF-33” Multi-Family District on Lots 36 and 37, Block 3, NCB 15176, 2902 S.W. Loop 410. (Council District 4)
8. **ZONING CASE NUMBER Z2005280:** The request of Brown, P. C., Applicant, for Reitmeyer Investments, Ltd., Owner(s), for a change in zoning from “MF-33” ERZD Multi-Family Edwards Recharge Zone District to “C-3” ERZD General Commercial Edwards Recharge Zone District on 18.56 acres out of NCB 16334, Blanco Road and Huebner Road. (Council District 9)

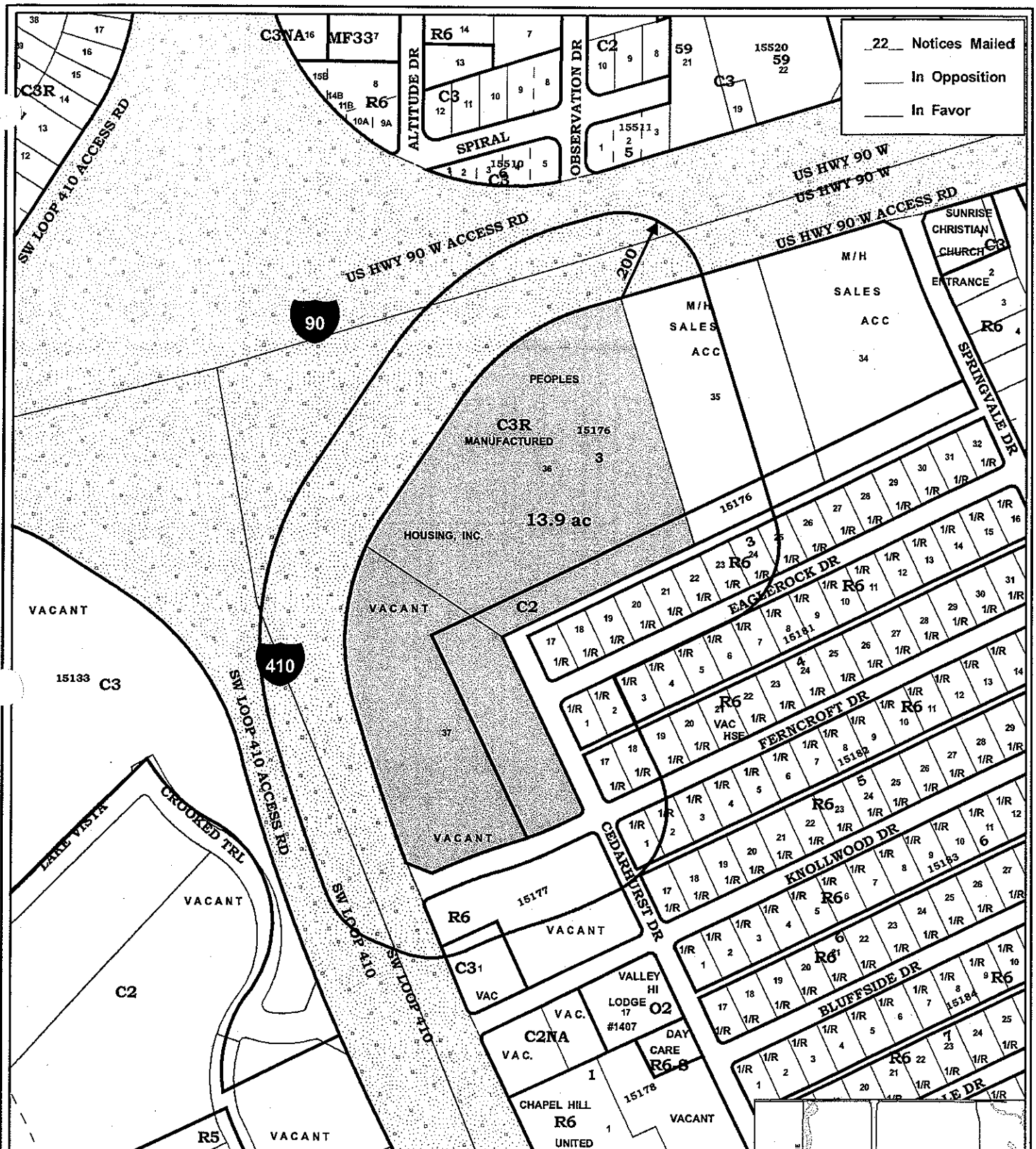
9. **ZONING CASE NUMBER Z2006023:** The request of Jeanette Blount, Applicant, for Jeanette Blount, Owner(s), for a change in zoning from “R-6” ERZD Residential Single-Family Edwards Recharge Zone District to “C-2NA” ERZD Commercial Nonalcoholic Sales Edwards Recharge Zone District on Lot 1, Block 4, NCB 14759, 7403 West Loop 1604. (Council District 8)
10. **ZONING CASE NUMBER Z2006026:** The request of Brown, P. C., Applicant, for West World Holding, Inc., Owner(s), for a change in zoning from “R-6” ERZD Residential Single-Family Edwards Recharge Zone District, “O-2” Office District, “O-2” ERZD Office Edwards Recharge Zone District, “O-2” “GC-1” Office District Gateway Corridor Overlay District-1, “O-2” ERZD “GC-1” Office Edwards Recharge Zone District Gateway Corridor Overlay District-1, “C-2” Commercial District, “C-2” ERZD Commercial Edwards Recharge Zone District, “C-2” “GC-1” Commercial District Gateway Corridor Overlay District-1, “C-2” ERZD “GC-1” Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 to “MPCD” Master Planned Community District, “MPCD” ERZD Master Planned Community Edwards Recharge Zone District, “MPCD” “GC-1” Master Planned Community Gateway Corridor Overlay District-1 and “MPCD” ERZD “GC-1” Master Planned Community Edwards Recharge Zone Gateway Corridor Overlay District-1 on 119.204 acres out of NCB 34762 and 1.925 acres out of NCB 14859, 17855 West Interstate Highway 10. (Council District 8)
11. **ZONING CASE NUMBER Z2006053 S:** The request of Anthony and Xochipil Monita, Applicant, for Anthony and Xochipil Monita, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “R-6” S Residential Single-Family District with a Specific Use for a Daycare Center (Commercial or Nonprofit) on the east 35 feet of the north 157 feet of Lot 24 and the west 25 feet of the north 157 feet of Lot 25, Block 7, NCB 1959, 1710 W. Magnolia Avenue. (Council District 7)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
12. **ZONING CASE NUMBER Z2006074:** The request of Kaufman and Associates, Inc., Applicant, for Koontz/McCombs 1, Ltd., Owner(s), for a change in zoning from “C-2” “RIO-1” Commercial River Improvement Overlay District-1 and “R-4” “RIO-1” Residential Single-Family River Improvement Overlay District-1 on the west 233.40 feet of Tract L out of NCB 6015, “C-2” Commercial District on Lot 27, Block A, NCB 6015, and “R-4” Residential Single-Family District on Lots 3 through 12 out of NCB 6096 to “MF-50” Multi-Family District on the west 233.40 feet of Tract L of NCB 6015 and on Lot 27, Block A, NCB 6015 and “MF-50” “RIO-1” Multi-Family River Improvement Overlay District-1 on Lots 3 through 12 out of NCB 6096 on the west 233.40 feet of Tract L, NCB 6015 and Lot 27, Block A, NCB 6015 and Lots 3 through 12 of NCB 6096, 4210 Broadway, 135 Groveland and 151 Groveland. (Council District 9)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.
13. **ZONING CASE NUMBER Z2006086:** The request of Stephen Raub, Applicant, for Endure Commercial Capital, Owner(s), for a change in zoning from “R-4” Residential Single-Family District and “MF-33” Multi-Family District to “MF-40” Multi-Family District on 6.592 acres out of NCB 11688, 1600 Block of Jackson-Keller Road. (Council District 1)
- A. Finding of consistency with Master Plan.
B. Recommendation on zoning change request.

14. **ZONING CASE NUMBER Z2006071:** The request of Peter Markwardt, Applicant, for Edgar and Maxine Markwardt, Owner(s), for a change in zoning from “R-5” Residential Single Family District and “MF-33” Multi-Family District to “C-2” Commercial District on the west 111.7 feet of Lot 72, the east 100 feet of Lot 72, the west 75 feet of Lot 73, the south 120 feet of the east 118.3 feet of Lot 73, and the north 100 feet of the east 118.3 feet of Lot 73 out of NCB 11884, 1422, 1434, 1442 and 1446 E. Sandalwood Lane. (Council District 9)
15. **ZONING CASE NUMBER Z2006076:** The request of Eduardo Cadena, Applicant, for Jason Shapiro, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “MF-33” Multi-Family District on Lots 9 through 16, NCB 8595, 5534 San Fernando Street. (Council District 6)
16. **ZONING CASE NUMBER Z2006081 S:** The request of Goldfield Property Investments, Ltd., Applicant, for Goldfield Property Investments, Ltd., Owner(s), for a change in zoning from “C-2” Commercial District and “I-1” General Industrial District to “C-3” S General Commercial District with a Specific Use Permit for a Transitional Home on Lot 8, NCB 14525, 14703 Goldfield Drive. (Council District 2)
17. **ZONING CASE NUMBER Z2006055 S:** The request of Stephanie E. Bustos, Applicant, for Juanita E. Bustos, Owner(s), for a change in zoning from “R-5” Residential Single-Family District to “R-5” S Residential Single-Family District with Specific Use Permit for a Group Day Care Home on Lot 1, Block 1, NCB 8246, 250 S.W. 36th Street. (Council District 6)
18. **ZONING CASE NUMBER Z2006085:** The request of Luis Antonio Rodriguez, Applicant, for Luis Antonio Rodriguez, Owner(s), for a change in zoning from “R-4” Residential Single-Family District to “C-3” General Commercial District on Lots 7A, 7B, 8A and 8B, NCB 2432, 616 and 620 Elvira Street. (Council District 5)
19. **ZONING CASE NUMBER Z2006087:** The request of Park 410 Westplex, JV, Applicant, for Park 410 Westplex, JV, Owner(s), for a change in zoning from “C-2” Commercial District to “C-3” General Commercial District on P-27, NCB 15329, 8300 Block of Potranco. (Council District 6)
20. **ZONING CASE NUMBER Z2006089:** The request of Lou Miller, Applicant, for Lou Miller, Owner(s), for a change in zoning from “O-2” Office District to “C-2” Commercial District on Lot 18, Block 29, NCB 10628, 4458 East Houston Street. (Council District 2)
21. **ZONING CASE NUMBER Z2006091 CD:** The request of Richard R. Whitcher, Jr., Applicant, for Richard R. Whitcher, Jr., Owner(s), for a change in zoning from “I-1” General Industrial District to “C-1” (CD - Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair on Lots 20 and 21, Block 30, NCB 8523, 1610 Whitman Avenue. (Council District 4)
22. **ZONING CASE NUMBER Z2006092:** The request of David Kramer, Applicant, for David Kramer, Owner(s), for a change in zoning from “R-6” “GC-1” Residential Single-Family Gateway Corridor District-1 to “C-3” “GC-1” General Commercial Gateway Corridor District-1 on the east irregular 311 feet of the north irregular 321.3 feet of Lot 10, NCB 18336, 20985 IH 10 West. (Council District 8)
23. **ZONING CASE NUMBER Z2006094:** The request of Kaufman & Associates, Inc., Applicant, for Steve Persyn, Owner(s), for a change in zoning from “R-6” Residential Single-Family District to “C-3” General Commercial District on P-9, NCB 34361, 325 South Loop 1604. (Council District 4)

24. **ZONING CASE NUMBER Z2006095:** The request of H. Glenn Huddleston, Applicant, for H. Glenn Huddleston, Owner(s), for a change in zoning from “I-1” “RIO-2” General Industrial River Improvement Overlay District 2 to “IDZ” “RIO-2” Infill Development Zone River Improvement Overlay District 2 on Lots 11 and 12, Block 18, NCB 964, 1625 through 1639 Broadway. (Council District 2)
25. **ZONING CASE NUMBER Z2006096:** The request of Bexar Odyssey Investments, LLC, Applicant, for Bexar Odyssey Investments, LLC, Owner(s), for a change in zoning from “C-3” General Commercial District and “R-6” Residential Single-Family District to “MF-25” Multi-Family District on Parcel 1, NCB 17873, 8777 Marbach Road. (Council District 6)
26. **ZONING CASE NUMBER Z2006099 CD:** The request of Brown, P. C., Applicant, for Bagheri Brothers, Inc. and Phillip Knaupp, Owner(s), for a change in zoning from “R-20” “GC-1” Residential Single-Family Gateway Corridor District-1 to “C-2” “GC-1” (CD-Auto Sales New) Commercial Gateway Corridor District-1 with a Conditional Use for a New Automobile Dealership on 6.841 acres out of NCB 18337 and 2.271 Acres out of NCB 35733, 21587 IH 10 West and 21660 Milsa Drive. (Council District 8)
27. Executive Session: consultation on Attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.
28. **ADJOURNMENT**

Accessibility Statement

This meeting is wheelchair accessible. The accessible entrance is located at 1901 S Alamo. Accessible parking spaces are located in front of the building. Auxiliary aids and services are available upon request. Interpreters for the deaf must be requested at least 48 hours prior to the meeting by calling 207-7245



ZONING CASE: Z2006-062

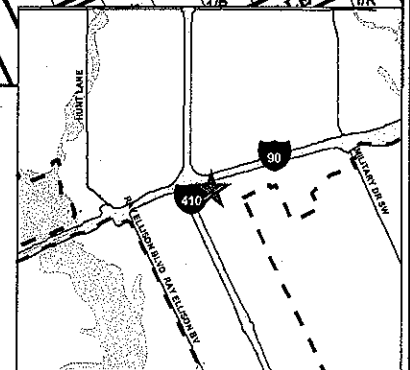
City Council District No. 4
 Requested Zoning Change
 From "C-3 R, C-2" To "MF-33"
 Date: April 18, 2006
 Scale: 1" = 300'

Subject Property

200' Notification



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CASE NO Z2006062 withdrawn

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Continuance from March 7, 2006 Zoning Commission hearing

Council District: 4

Ferguson Map: 647 C-1

Applicant Name:

Owner Name:

Brown, P. C.

Sonrise Church and School

Zoning Request: From "C-3" R Commercial Restrictive Alcoholic Sales District and "C-2" Commercial District to "MF-33" Multi-Family District.

Property Location: Lots 36 and 37, Block 3, NCB 15176

2902 S.W. Loop 410

Southeast intersection of S.W. Loop 410 West and U.S. Highway 90 West

Proposal: To develop an apartment community

Neigh. Assoc. Springvale Neighborhood Association

Neigh. Plan None

Traffic Impact Analysis:

A Traffic Impact Analysis is not required. One may be required at the plat/building permit stage.

Staff Recommendation:

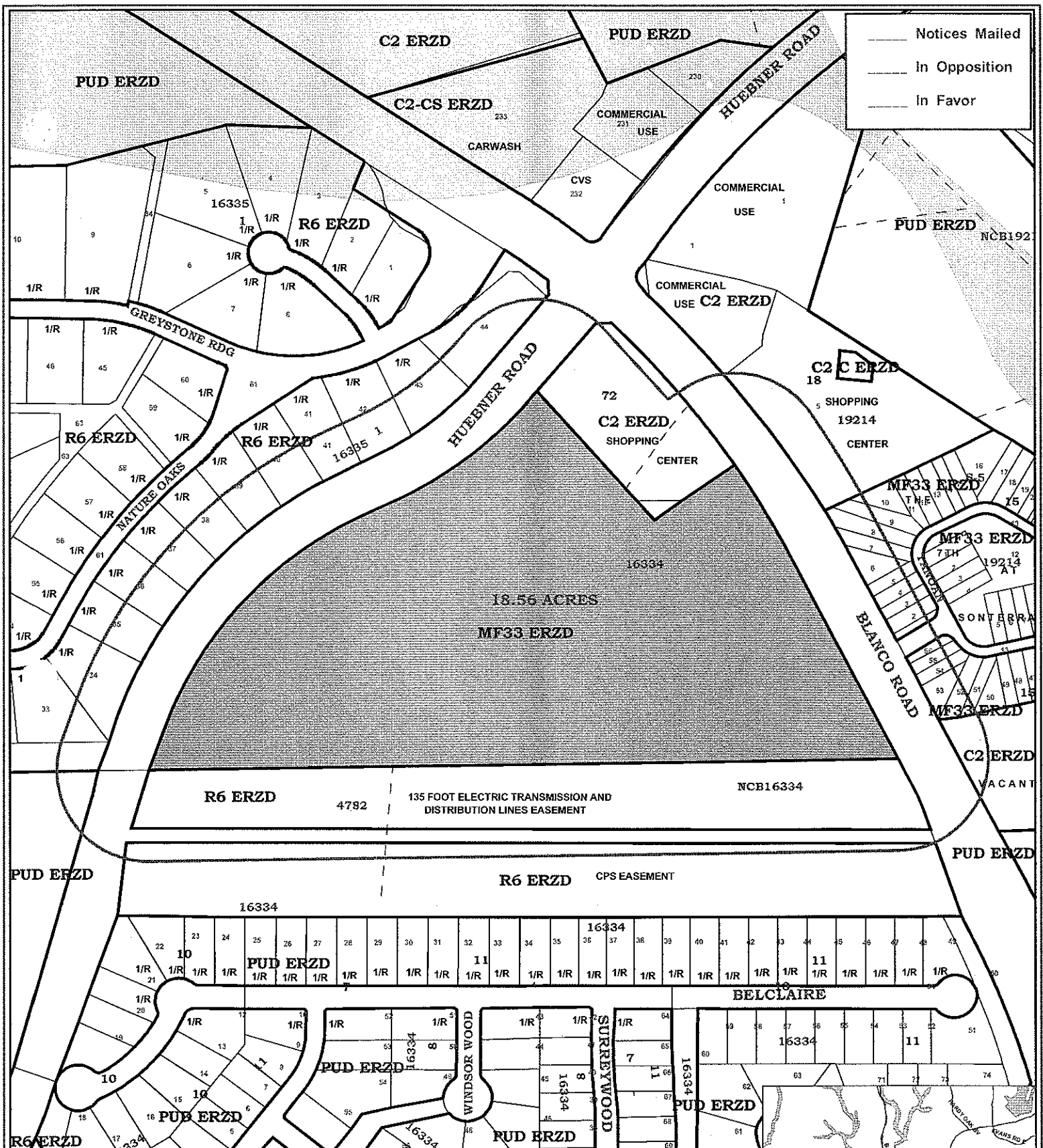
Approval

The subject properties are currently undeveloped and located along the access roads of S.W. Loop 410 West and U.S. Highway 90 West. The properties are adjacent to "R-6" Residential Single-Family District (single-family dwellings to the east and undeveloped to the south) to the south and east.

The subject properties are primarily zoned "C-3" R with an approximate 75 foot buffer of "C-2" between the "C-3" R and the "R-6". The proposed down-zoning to "MF-33" district would be appropriate at this location. There is vehicular traffic ingress and egress along the U.S. Highway 90 Access Road to the north and west and on Ferncroft Drive to the south. Additionally, much like this proposal, the "MF-33" zone is recommended at the periphery of single-family residential neighborhoods.

The subject properties were previously zoned "B-2" and "B-3" R Commercial District. The zoning was converted from "C-2" and "C-3" R Commercial Districts with the adoption of the 2001 Unified Development Code (UDC).

CASE MANAGER : Rudy Nino, Jr. 207-8389



ZONING CASE: Z2005-280

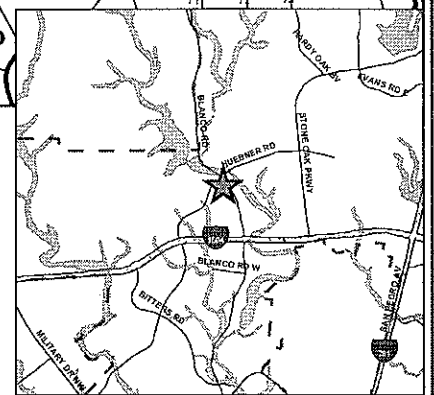
City Council District No. 9
 Requested Zoning Change
 From "MF-33" To "C-3"
 Date: April 18, 2006
 Scale: 1" = 300'

Subject Property

200' Notification



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CASE NO: Z2005280

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 9

Ferguson Map: 482 B8

Applicant Name:

Brown, P. C.

Owner Name:

Reitmeyer Investments, Ltd.

Zoning Request: From "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District.

Property Location: 18.56 acres out of NCB 16334

Blanco Road and Huebner Road

Southeast side of Blanco Road 419.24 feet from Huebner Road and southwest side of Huebner Road 195.12 feet from Blanco Road

Proposal: Commercial Business Park

Neighborhood Association: Sonterra Stone Oak Neighborhood Association

Neighborhood Plan: None

Traffic Impact Analysis

A TIA report is required and has been submitted. The 18.6-acres is currently zoned MF-33 Single Family Residential use. The current zoning would have generated approximately 4,125 daily vehicle trips. The property is proposed to be C-3 Business Park and developed into professional offices, specialty retail, and restaurants. The proposed C-3 development is projected to generate 2,786 daily vehicle trips, a decrease of 1,339 vehicle trips per day. Typical development on C-3 zoning of this size would generate 8,697 average daily traffic, an increase of 4,582 vehicle trips per day. If the proposed site was to be developed differently from the proposed business park, a revised Level-2 or Level-3 TIA will be required at platting.

Staff Recommendation:

Approval

The subject property is currently undeveloped and located southwest and southeast of the intersection of two major thoroughfares (Blanco Road and Huebner Road). "C-3" General Commercial District at this site would be a continuation of the commercial uses to the north. The subject property is adjacent to "C-2" Commercial Edwards Recharge Zone District to the north (vacant) and "R-6" Residential Single-Family Edwards Recharge Zone District across Huebner Road to the northwest (single-family dwellings) with "C-2" Commercial Edwards Recharge Zone District across Blanco Road to the north and northeast. An easement provides a buffer to the south. The requested rezoning is consistent with the development pattern along Blanco Road. The "C-3" General Commercial Districts permit general commercial activities designed to serve the community such as repair shops, wholesale businesses, warehousing and limited retail sales with some outdoor display of goods. "C-3" uses would be more appropriate than multi-family dwellings at this location. The calculation for 18.56 acres for the existing "MF-33" Multi-Family District would allow a potential of 614 multi-family dwellings.

Traffic circulation is better managed with multiple frontages that offer more flexibility in vehicular ingress and egress. The "C-3" zoning district is appropriate in order to complete the commercial node at the intersection of Blanco Road and Huebner Road. Many of the intense uses that are normally allowed in "C-3" would be prohibited at this location in the ERZD.

1. SAWS recommends approval of the proposed land use.
2. The property is classified as a Category 1 property.
3. SAWS recommends that the impervious cover on the site shall not exceed 90%

CASE MANAGER : Pedro Vega 207-7980

2006 MAR 29 P 1:15

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2005280 (Commercial Business Park)

Date: April 4, 2006

SUMMARY

A request for a change in zoning has been made for an approximate 18.6-acre tract located on the city's north side. A change in zoning from **MF-33 ERZD** to **C-3 ERZD** is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a commercial business park development. The property is classified as Category 1 property.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, south of the intersection of Blanco Road and Huebner Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from MF-33 ERZD to C-3 ERZD and will allow for the construction of a commercial development. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

A commercial development is adjacent to the northeast corner. Huebner Road bounds the western boundary. Blanco Road bounds the eastern and northern boundary. A power line easement bounds the western and southern portion of the property.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a field observation on December 13, 2005 of the referenced property to assess the geologic conditions present at the site. SAWS staff Geologist, Ms. Joan Falkenberg, P.G., was present during the site visit. No significant features were noted during the field observation as the geology was obscured by leaf litter, vegetation, and areas of thick soil cover. Limestone outcrops were visible at the surface in some areas and exhibited typical weathering features of exposed bedrock. Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the subject site was underlain by the Dolomitic Member and Cyclic and Marine Member of the Edwards Formation. A small portion of the tract is shown to be within the Basal Nodular Member of the Edwards Formation. Both the Cyclic Marine and Basal Nodular Members are located within the Person Formation and the Dolomitic Member within the Kainer Formation of the Edwards Group. A fault is shown to be in the vicinity of the subject tract and would account for the characteristic differences within the lithology of the Group. According to FEMA Flood Insurance Maps, no part of the subject property is within the 100 year floodplain.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns

1. The overall Greystone Country Estates encompasses 383.99 acres that includes the 18.56 acres for this zoning case. The initial agreement for the entire 383.99 acres is not to exceed 15% impervious cover.

Table 1. The following table shows the overall Greystone Development and how each unit is broken down by acreage and impervious cover. The unit that is being rezoned is Blanco Ridges Unit-2.

Development	Acreage	Impervious Cover Area	Impervious Cover %
Greystone Unit One	53.19 acres	11.304 acres	21.25%
Greystone Unit Two	282.348 acres	16.42 acres	5.82%
Greystone Unit Two (Lot 97 Replat)	31.454 acres	1.40 acres	4.45%
Blanco Ridges Unit 1	2.078 acres	2.078 acres	100.00%
Huebner Road	3.80 acres	1.727 acres	45.45%
Blanco Crossing	24.02 acres	6.005 acres	25.00%
Blanco Ridges Unit 2	18.56 acres	16.704 acres	90.00%
Net Totals	383.996 acres	55.392 acres	14.97%

Source: Civil Engineering Company, 2006.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover for the subject property, known as Blanco Ridges Unit – 2, will not exceed 90% impervious cover. This property is part of an overall development that will not exceed 15%.

2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.
6. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

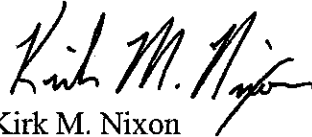
General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:

- A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
- A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division of SAWS.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Zoning Commission Members
Z2005280 (Commercial Business Park)
Page 6

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



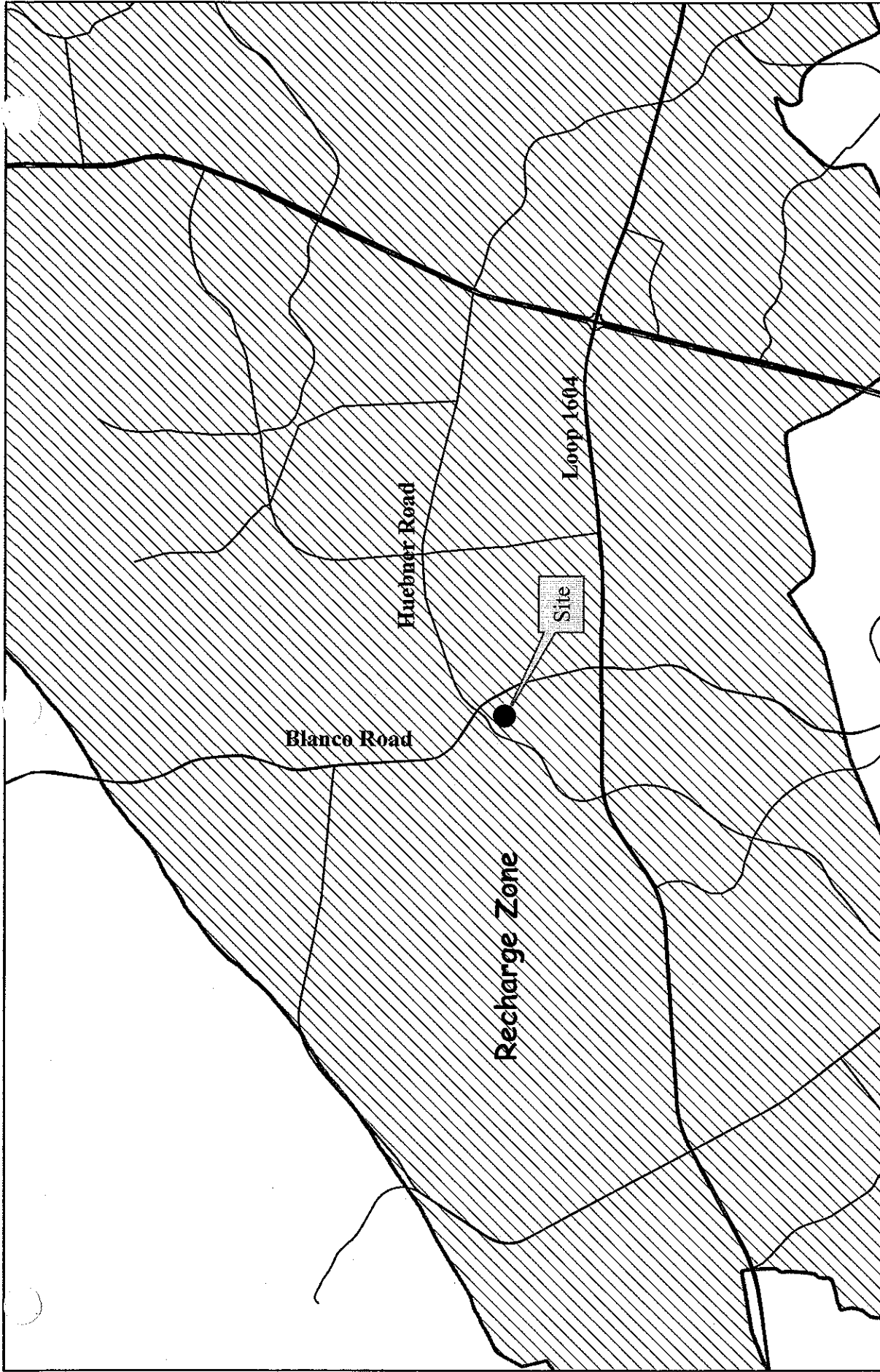
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



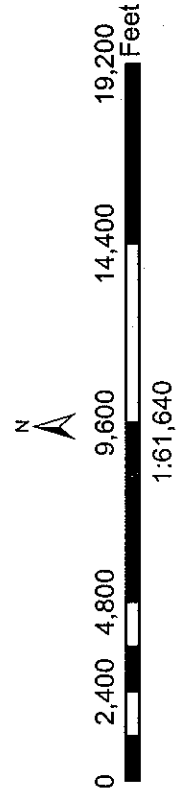
Zoning Case No. Z2005280 Figure 1

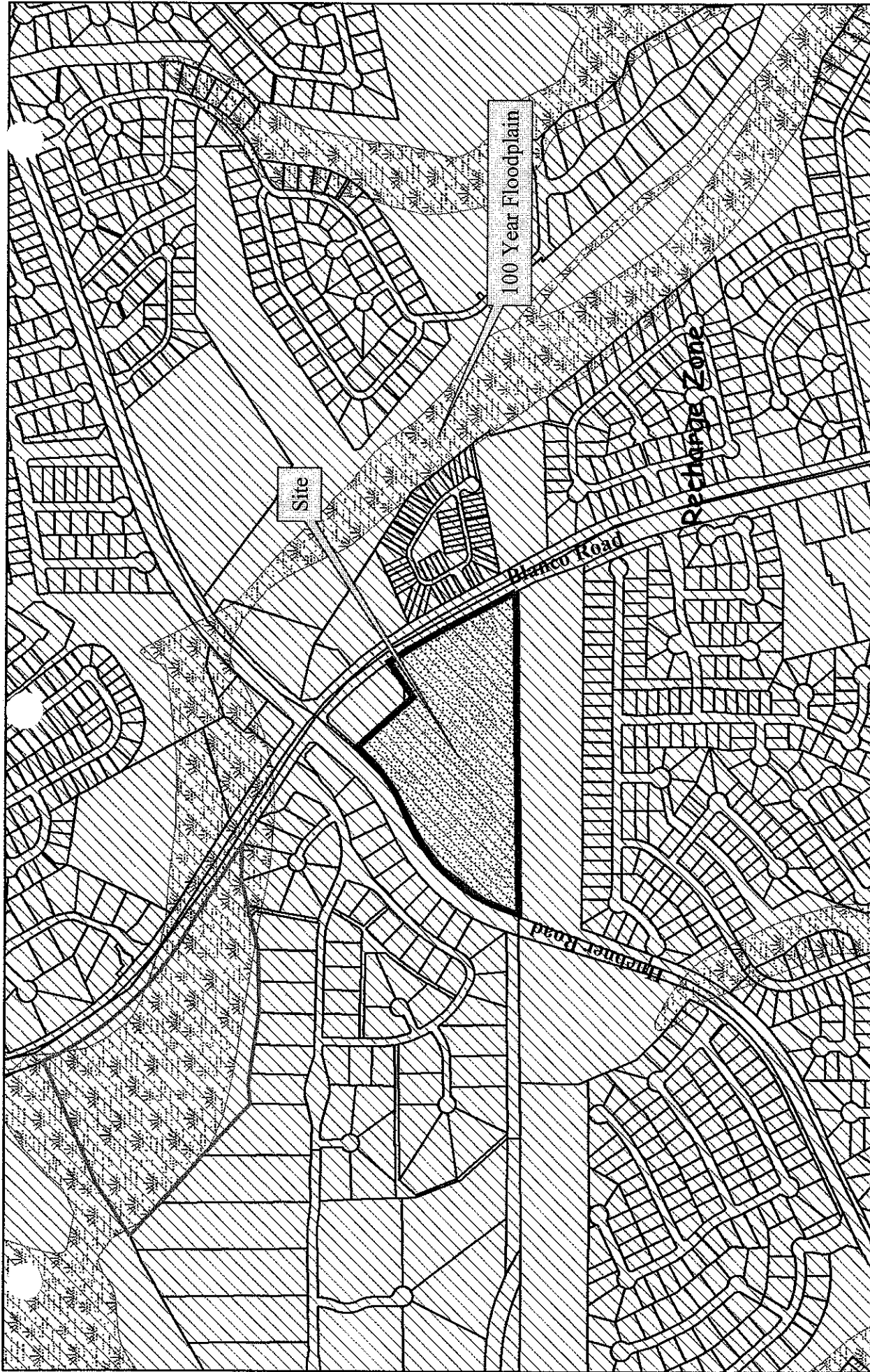
Commercial Business Park

Map Page 482 B8

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Map Prepared by Aquifer Protection and Evaluation MJB 12/7/2005





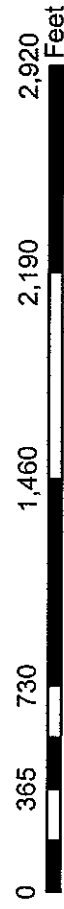
Zoning Case No. Z2005280 Figure 2

Commercial Business Park

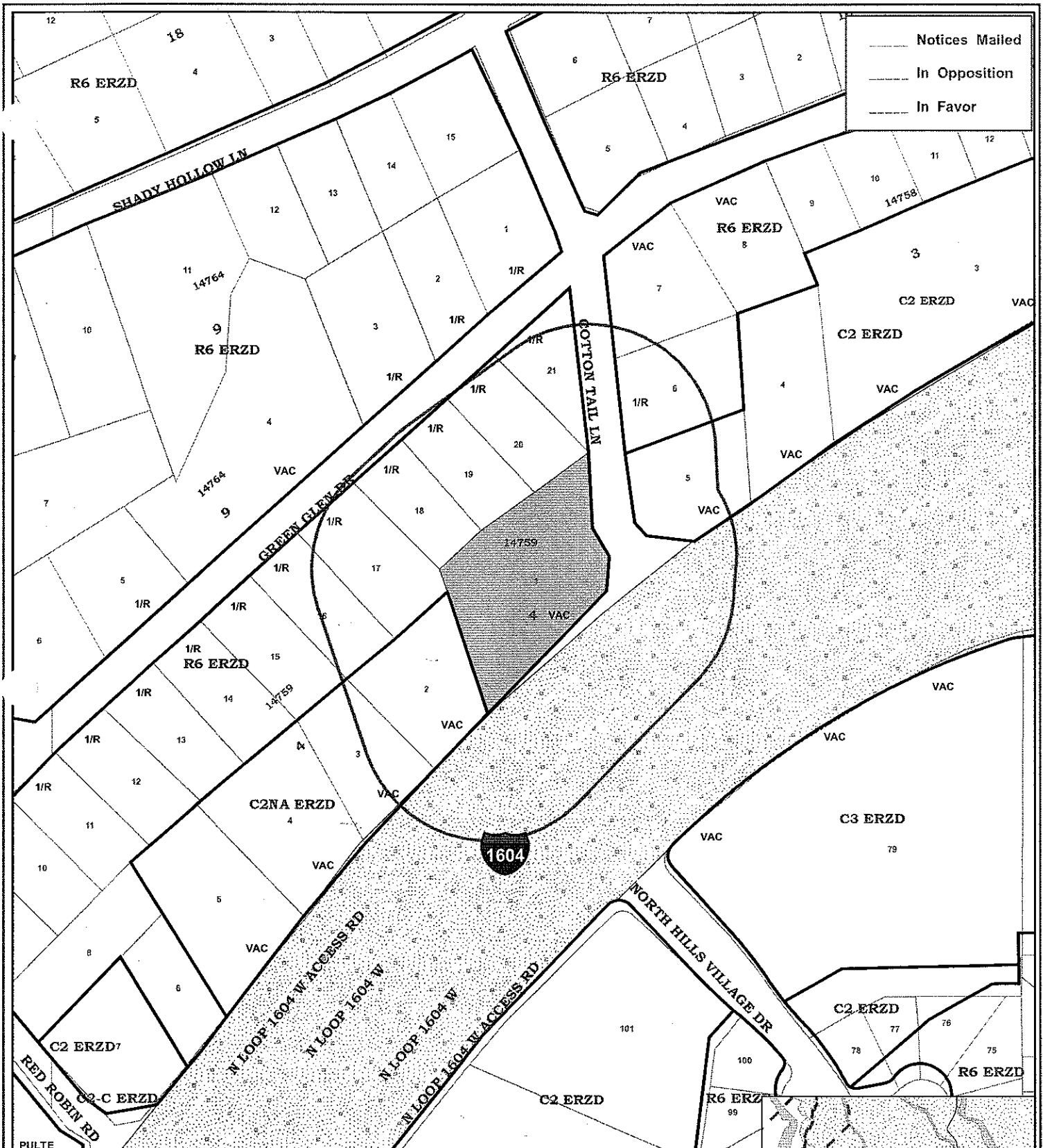
Map Page 482 B8

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Map Prepared by Aquifer Protection and Evaluation MJB 12/1/2005



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ZONING CASE: Z2006-023

City Council District No. 8

Requested Zoning Change

from "R-6 ERZD" To "C-2NA ERZD"

Date: April 18, 2006

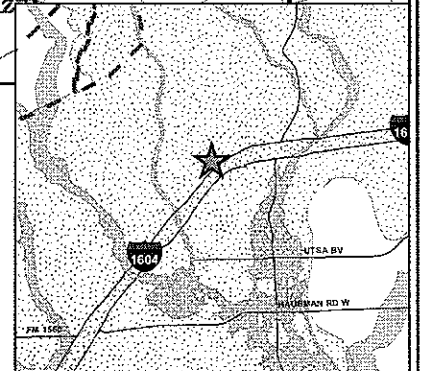
Scale: 1" = 200'

Subject Property

200' Notification



C:\Feb. 7, 2006



CASE NO: Z2006023

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 8

Ferguson Map: 513 E6

Applicant Name:

Jeanette Blount

Owner Name:

Jeanette Blount

Zoning Request: From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District.

Property Location: Lot 1, Block 4, NCB 14759

7403 West Loop 1604

Northeast Corner of West Loop 1604 and Cotton Tail Lane

Proposal: To Develop a Shopping Center

Neigh. Assoc. Hills and Dales Neighborhood Association

Neigh. Plan None

Traffic Impact Analysis

A Traffic Impact Analysis is not required. The undeveloped 1.35 acres is currently zoned R-6 for single family residential use, and could generate approximately 88 daily vehicle trips. The property is proposed to be zoned C-3 NA and developed as a shopping center with a proposed structure size of 13,600 sq ft. The proposed C-3 development is projected to generate approximately 583 daily vehicle trips. Access is from Loop 1604, and requires Texas Department of Transportation review and approval. Other access that may be considered is from Cotton Tail, a 60 foot wide local road designed with county standards.

Staff Recommendation:

On March 23, 2006, the City Council remanded this case back to the Zoning Commission for reconsideration of the 30% limitation on impervious cover recommended by SAWS and staff. The applicant is requesting the limitation on impervious cover be relaxed to about 60%.

Approval

The applicant's request is to develop a small retail center. More than 90% of retail uses and more than 80% of service uses identified as permitted uses in the C-3 zoning district are also permitted by right in the C-2 zoning district. Since a small retail center that is intended to tenant predominantly local commercial uses is proposed and most commercial zoning in the immediate vicinity is already zoned C-2, a rezone to C-2NA would be most appropriate at this location.

The subject property, a corner lot, consists of about 1.35 acres and was annexed in the city in 1971, along with much of the existing residential development to the north, also zoned R-6. Most of the current commercial zoning in the vicinity dates from the early 1970's through the mid-1980's, including properties zoned C-2 and C-3 across Loop 1604 to the south and properties zoned C-2 and C-2NA that also front on the north side of the West Loop 1604 access road. Like many of these other commercial properties, the subject property has remained undeveloped. The property across Cotton Tail Lane was zoned B-2 in 1985, later converting to C-2, and the lots immediately west of the subject property have C-2NA zoning that dates to 1986. The most recent rezone to C-3 in the vicinity dates to 1997 and is located to the east at the

CASE NO: Z2006023

Final Staff Recommendation - Zoning Commission

intersection of the Loop 1604 access road and Fawn Lane. Existing commercial uses in the immediate vicinity are Alamo Storage to the south, across Loop 1604, zoned C-3 and an office building to the west at 7507 Loop 1604 zoned C-2.

If approved, a rezone to the C-3 district will require a Type "C" buffer along the north property line, as the subject property abuts a residential district. However, a fence or wall of at least six feet in height is allowed in lieu of the buffer. Similarly, should rezone to C-2 be approved, a Type "B" buffer will be required along the north property line with the same fence or wall option. A landscape buffer will not be required along the west property line since the property immediately to the west already has C-2 zoning but may be required along the east property line.

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. The property is classified as Category 2 property.
3. SAWS recommends impervious cover on the site shall not exceed 30%.

CASE MANAGER : Matthew Taylor 207-5876

2006 FEB -8 P 2: 20

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2006023 (Commercial - Retail Development)

Date: February 7, 2006

SUMMARY

A request for a change in zoning has been made for an approximate 1.365-acre tract located on the city's northwest side. A change in zoning from **R-6 ERZD** to **C-3 NA ERZD** is being requested by the applicant, Ms. Jeanette Blount. The change in zoning has been requested to allow a commercial - retail development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 8, near the intersection of Loop 1604 and Cotton Tail Lane. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from R-6 ERZD to C-3 NA ERZD and will allow for the construction of a commercial – retail site. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

The Hills and Dales Subdivision is located to the north and west of the site. Loop 1604 is located to the south and east of the site.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on January 31, 2006, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Ms. Joan B. Falkenberg, P.G., was present during the site evaluation.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Upper Confining Units of the Edwards Aquifer. The Upper Confining Units are known to exhibit low to no permeability or porosity and are generally 30 to 150 feet thick in full section.

The subject property was covered by thick brushy vegetation, well developed soil and leaf litter. No significant geologic features were observed on site.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The impervious cover shall not exceed 30% on the site.
2. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

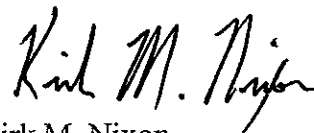
6. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.

- C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement must be submitted to the Resource Protection Division.
5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.



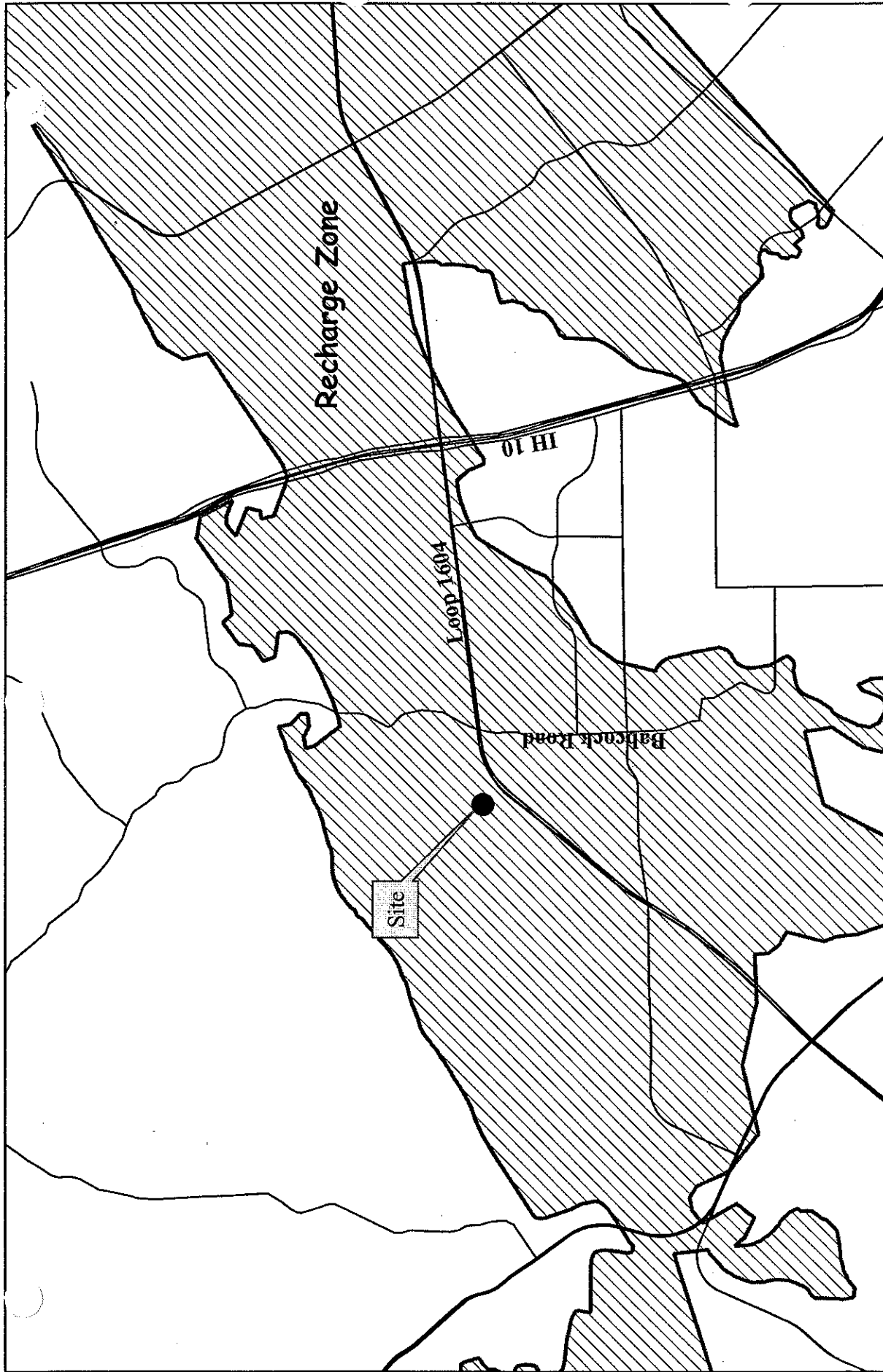
Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:



Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



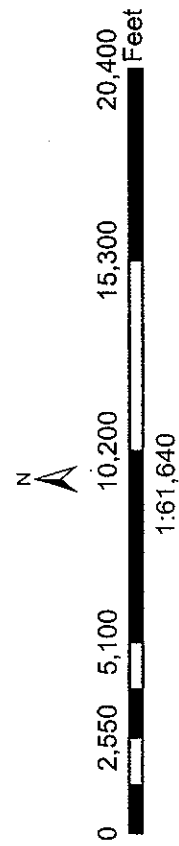
Zoning Case No. Z2006023 Figure 1

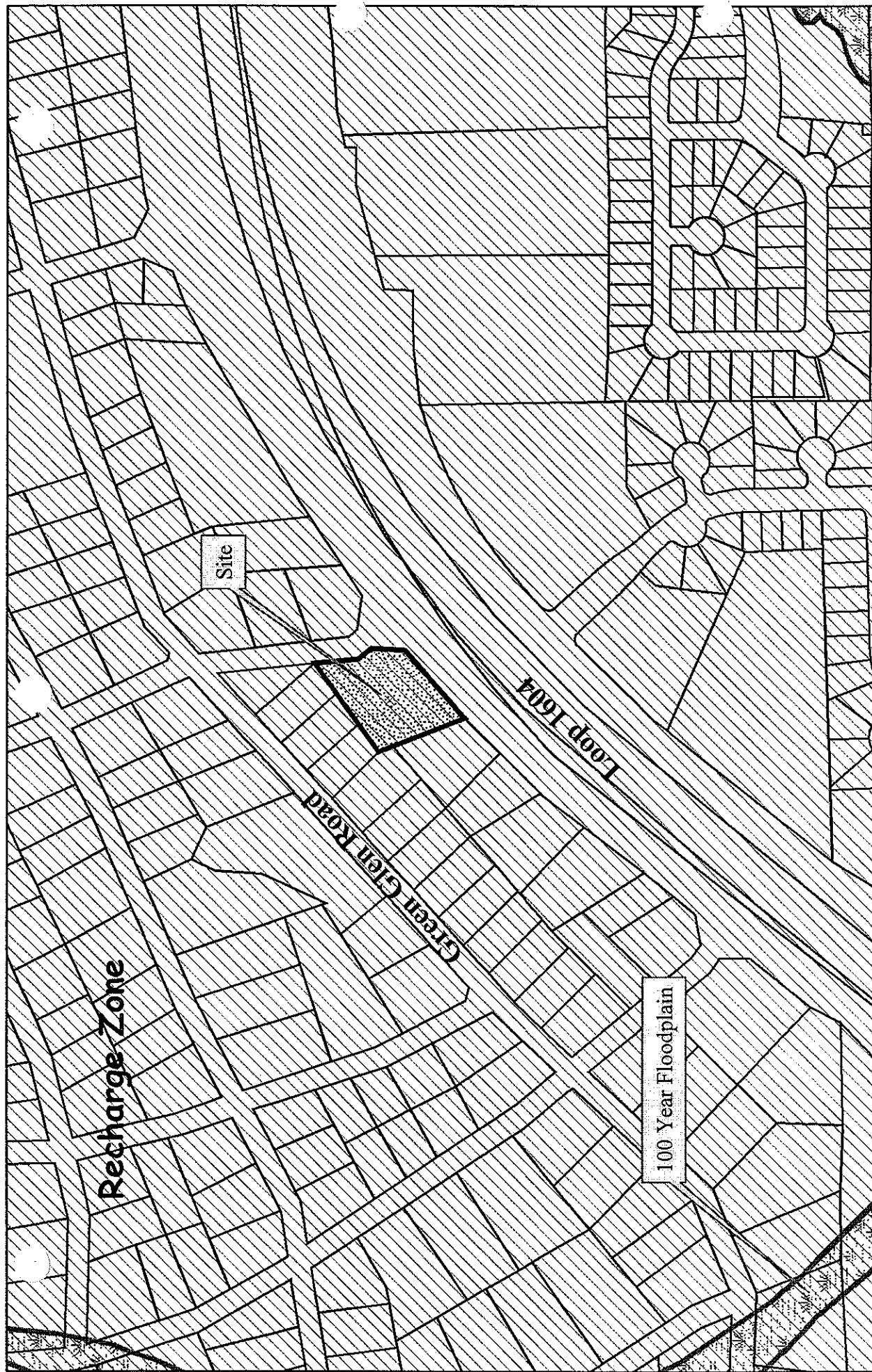
Commercial Retail Development

Map Page 513 E6

X=2081237 Y=13761366

Map Prepared by Aquifer Protection and Evaluation MJB 1/23/2006





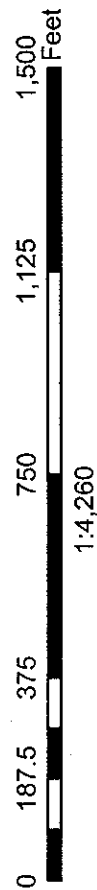
Zoning Case No. Z2006023 Figure 2

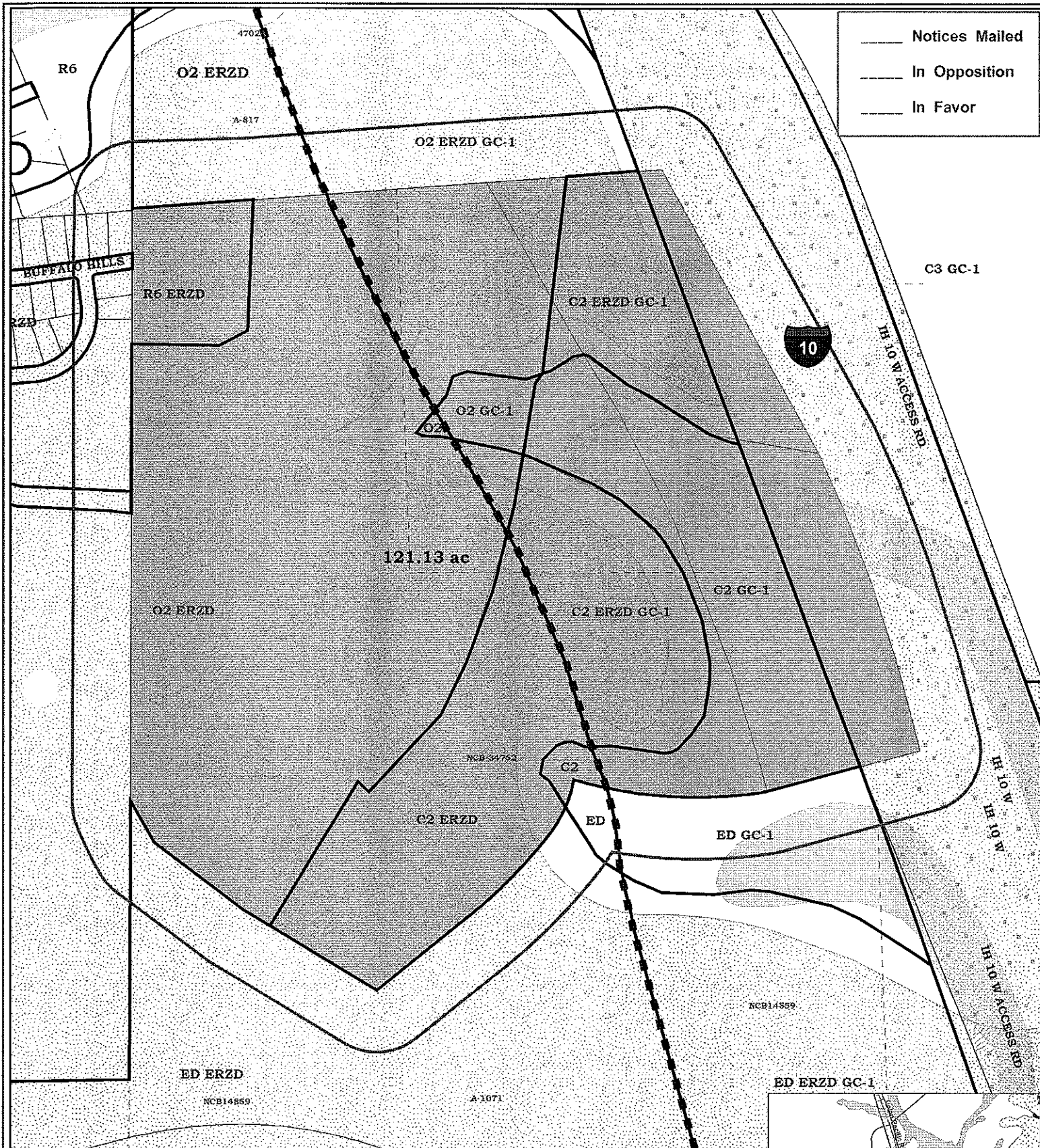
Commercial Retail Development

Map Page 513 E6

X=2081237 Y=13761366

Map Prepared by Aquifer Protection and Evaluation MJB 1/23/2006





ZONING CASE: Z2006-026

City Council District No. 8

Requested Zoning Change

From: "R-6 ERZD" "O-2" "O-2 ERZD" "C-2" "C-2 ERZD"

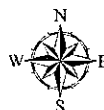
To: "MPCD" "MPCD ERZD"

Date: April 18, 2006

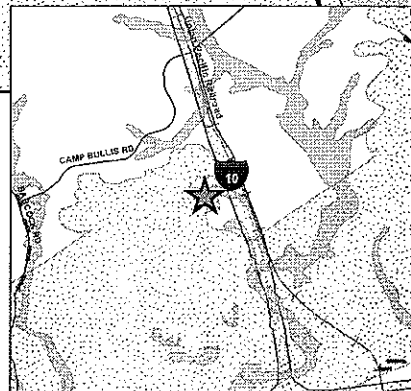
Scale: 1" = 400'

Subject Property

200' Notification



C:\Apr_4_2006



CASE NO: Z2006026

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 8

Ferguson Map: 514 B2/C2

Applicant Name:

Brown, P. C.

Owner Name:

West World Holding, Inc.

Zoning Request: From "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District, "O-2" Office District, "O-2 ERZD" Office Edwards Recharge Zone District, "O-2" GC-1 Office District Gateway Corridor Overlay District-1, "O-2 ERZD" GC-1 Office Edwards Recharge Zone District Gateway Corridor Overlay District-1, "C-2" Commercial District, "C-2 ERZD" Commercial Edwards Recharge Zone District, "C-2" GC-1 Commercial District Gateway Corridor Overlay District-1, "C-2 ERZD" GC-1 Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 to "MPCD" Master Planned Community District, "MPCD ERZD" Master Planned Community Edwards Recharge Zone District, "MPCD" GC-1 Master Planned Community Gateway Corridor Overlay District-1 and "MPCD ERZD" GC-1 Master Planned Community Edwards Recharge Zone Gateway Corridor Overlay District-1.

Property Location: 119.204 acres out of NCB 34762 and 1.925 acres out of NCB 14859

17855 West Interstate Highway 10

Interstate Highway 10 West, North of La Cantera Parkway

Proposal: To Develop a Master Planned Community of Residential, Commercial and Hotel Uses

Neigh. Assoc. Legend Hills Homeowner's Association (within 200 feet)

Neigh. Plan None

Traffic Impact Analysis

A Level-3 Traffic Impact Analysis is required and has been submitted.

Staff Recommendation:

Approval

Master Planned Community Districts are preferable when properties identified in a rezoning application are intended for mixed uses and consist of large acreages. This district promotes master planned communities that typically guarantee a comprehensive development that promotes compatibility and inner-connectivity within a mixed use project, traits that may be unavailable when lands are rezoned and developed independent of each other.

The property, consisting of about 120 acres, was annexed in December of 1998 and rezoned to O-1 and B-2 in the years immediately following. The ERZD designation was applied in 1999. The adoption of the 2001 UDC resulted in the existing zoning districts being converted to O-2 and C-2. In 2003, the Gateway Corridor overlay was applied, resulting in the removal of the Urban Corridor overlay which had been applied in 1993. The approximate west half of the property is located over the recharge zone while the east half lies over what is referred to as the "contributing zone."

The purpose of the rezone to MPCD is to develop a master planned community with a variety of residential

CASE NO: Z2006026

Final Staff Recommendation - Zoning Commission

(about 51.5 acres) and commercial (about 35 acres). Mixed uses are proposed on an additional 16 acres. Overall, the proposed project consists of a mix of single-family and multi-family residential development totaling about 1,400 dwelling units and uses including retail (70,000 square feet) and office (220,000 square feet) space, restaurants and a 200 room hotel (150,000 square feet). About 16 acres, generally along the west and north property boundaries, has been identified by the applicants as open space and about 2.5 acres at the northwest corner of the proposed development has been identified as public park space. Parks and designated open space are required in the MPCD on a percentage basis.

The applicants have submitted the required MPCD site plan with the zoning application. This site plan must be reviewed and receive a recommendation from the Zoning Commission. As the site plan is a component of the MPCD zoning district, the Council must also consider and take action on the site plan and language that reflects a mandatory adherence to the site plan must be contained in the zoning ordinance. The minimum requirements of a site plan are that proposed land uses, including single and multi-family residential uses, office uses and commercial uses must be identified on the plan by location, type, density and size. The applicant's site plan meets this standard. Should an applicant request an amendment to an approved MPCD site plan, they may do so administratively if the city determines the amendment is a minor one. Should the amendment be a major one, the criteria being listed in Section 35-345(e)(2) of the Unified Development Code, the proposed amendment must be returned to the Zoning Commission and City Council for recommendation and approval.

SAWS Summary

1. SAWS recommends approval of the proposed land use.
2. SAWS currently identifies the property as a Category 2 property.
3. SAWS recommends a maximum impervious cover of 65%.

CASE MANAGER : Matthew Taylor 207-5876

DEM SERVICES

2006 APR -4 A 11:29

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

To: Zoning Commission Members

From: Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System

Copies To: Scott R. Halty, Director, Resource Protection & Compliance Department, Julia I. Mireles, P.E., Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File

Subject: Zoning Case Z2006026 (Mixed Use Development)

Date: April 4, 2006

SUMMARY

A request for a change in zoning has been made for an approximate 121.13-acre tract located on the city's northwest side. A change in zoning from O-2, R-6 ERZD, C-2, O-2 GC-1, C-2 GC-1, O-2 GC-1, C-2 ERZD GC-1, O-2 ERZD GC-1, C-2 ERZD, and O-2 ERZD to MPCD, MPCD ERZD, and MPCD ERZD GC-1 is being requested by the applicant, Brown, P.C., by Mr. Kenneth W. Brown. The change in zoning has been requested to allow a mixed use development.

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 8, near the intersection of Loop 1604 and La Cantera Pkwy. A total of 81.95 acres of the property lies within the Edwards Aquifer Recharge Zone. The remaining 39.17 acres are located on the contributing zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from O-2, R-6 ERZD, C-2, O-2 GC-1, C-2 GC-1, O-2 GC-1, C-2 ERZD GC-1, O-2 ERZD GC-1, C-2 ERZD, and O-2 ERZD to MPCD, MPCD ERZD, and MPCD ERZD GC-1 and will allow for the construction of a mixed – use development. Currently the site is covered in native vegetation and undeveloped. A large above ground storage tank (AST) was found on the property. According to the applicant, the AST was used for water storage.

2. Surrounding Land Uses:

A portion of Crownridge Subdivision is located to the northwest of the property. Undeveloped land bounds the western and northern portion of the property. Fiesta Texas is located to the south of the property. IH 10 and The Rim Project are located to the east of the property.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation, on February 17, 2006, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Mr. Gregory James, P.G., was present during the site evaluation.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site was underlain by the Kirschberg Evaporite Member, Dolomitic Member, and Basal Nodular Members of the Edwards Aquifer, and the Upper Glen Rose Formation.

The Kirschberg Evaporite Member is generally one of the most permeable units of the Edwards Aquifer. It is generally 50 to 60 feet thick in full section.

The Dolomitic Member is characterized by non-fabric (structural) permeability. It is 110 to 130 feet thick in full section.

The Basal Nodular Member is characterized as having little or no permeability in the subsurface. It is the bottom most unit of the Edwards Aquifer. It is 50 to 60 feet thick in full section.

The Upper Glen Rose Formation is relatively impermeable. It is the Lower Confining Unit of the Edwards Aquifer. It is 350 to 500 feet in full section.

One cave was found on the property. It is located in the side of a streambed and appears to discharge water into the stream. It is located within the Upper Glen Rose Formation (lower confining unit of the Edwards Aquifer).

Sensitive features consist of one solution cavity and one sinkhole. Both are located on hillsides which limit their catchment area to less than 1.6 acres, therefore they are not considered significant.

A fault trending approximately N64°E is located near the center of the project. Evidence of this fault was limited to some tilting of bedding in streambeds. Since this is not conclusive evidence of the faults existence, it should be considered an inferred fault and not likely to have significant infiltration.

Two water wells were located on the property. One (S-13) was observed to be in operation with a small amount of leakage. The other (S-14) appears to have been abandoned.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns

1. An above ground storage tank was observed on the site and must be properly disposed of.
2. Several sensitive geologic features are located on the property and there is potential for contamination of the Edwards Aquifer. None of the sensitive features are significant.
3. An abandoned septic system was observed on the site and there is potential for contamination of the Edwards Aquifer.
4. Two wells were observed on the site. One well appears to be abandoned and the other well appears to be in operation. There is potential for contamination of the Edwards Aquifer via the wells.
5. A portion of the property lies within Leon Creek Watershed, along the eastern portion, where recharge may occur.
6. MPCD Zoning allows for certain industrial land uses that are not allowed over the recharge zone. According to the applicant the land use will be a hotel, office, retail, and multi-family.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The applicant agrees not to exceed 65% impervious cover for the entire site and has agreed to deed restrict the property in order to limit the impervious cover.
2. Land uses that require an industrial designation, per the permitted use table shall not be allowed on the project site.
3. The abandoned septic systems, along with any additional septic system that may be located on the site must be properly abandoned according to City Code Chapter 34 Article V Division 2 Section 446.
4. The abandoned wells, along with any additional wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
5. A floodplain buffer shall be provided along the eastern portion of the property as required in Ordinance No. 81491, Section 34-913.
6. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at that site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as prohibited, that land use will not be permitted on that site.
7. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Resource Protection Division of SAWS.
8. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application.

Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S.D.A, shall be used.

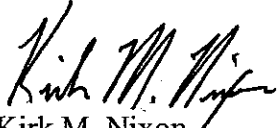
9. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.
10. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3526.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,
 - B. A set of site specific plans which must have a signed Engineers Seal from Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),
 - D. A copy of the approved Water Pollution Abatement Plan.
3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
 - A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.

- B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
 - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.
 - D. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Resource Protection Division.
- 5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
 - 6. The Resource Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

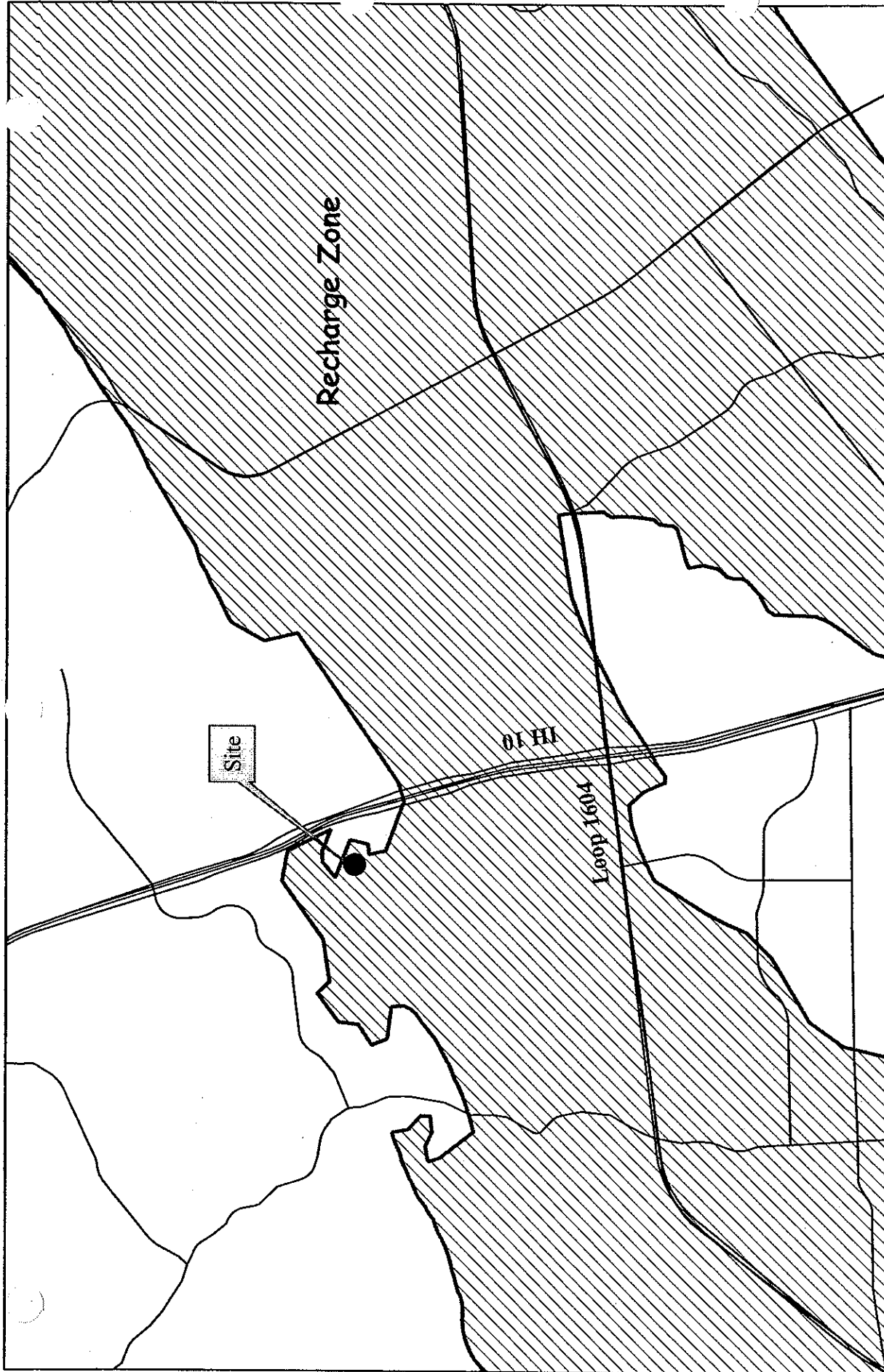
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.


Kirk M. Nixon
Manager
Resource Protection Division

APPROVED:


Scott R. Halty
Director,
Resource Protection & Compliance Department

KMN:MJB



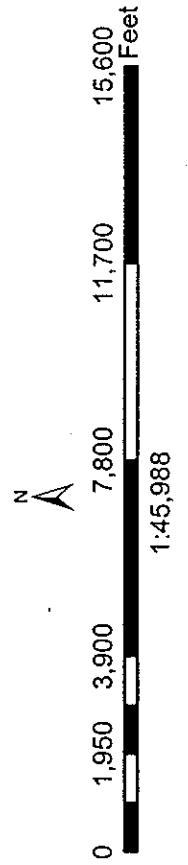
Zoning Case No. Z2006026 Figure 1

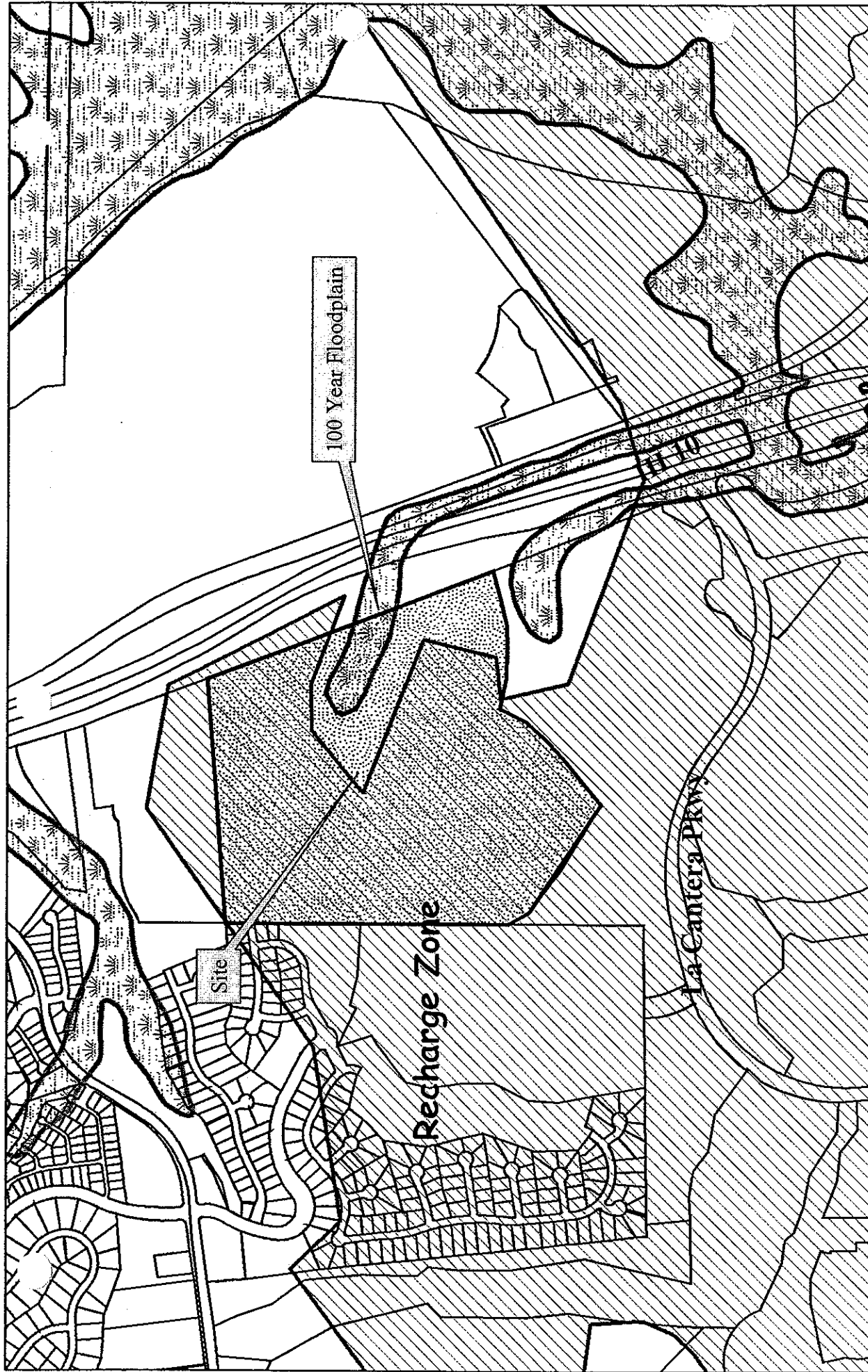
Mixed Use Development

Map Page 514 B2

X=2092744 Y=13770057

Map Prepared by Aquifer Protection and Evaluation MJB 1/10/2006





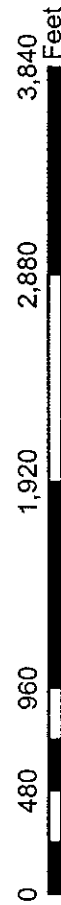
Zoning Case No. Z2006026 Figure 2

Mixed Use Development

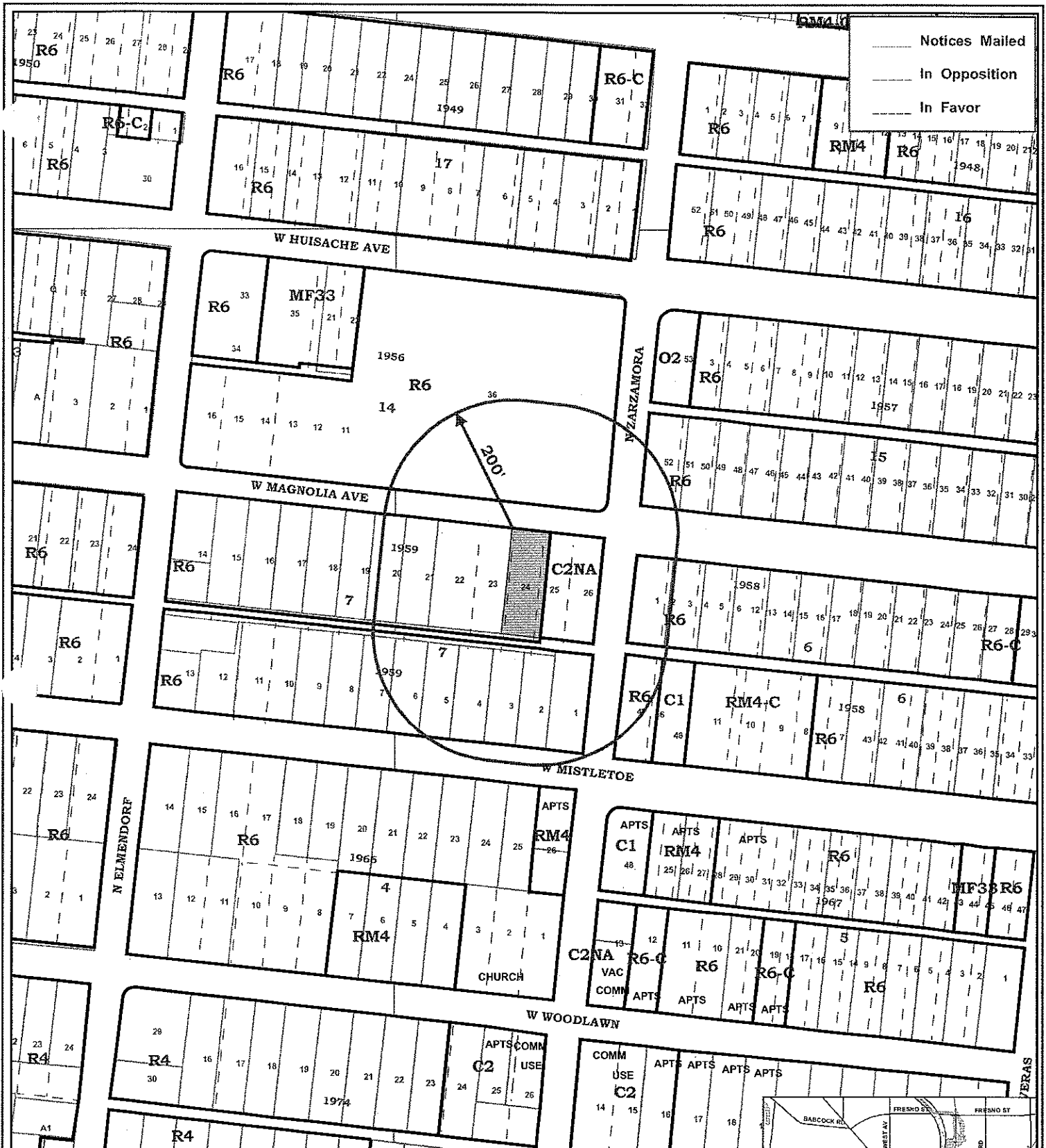
Map Page 514 B2

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Map Prepared by Aquifer Protection and Evaluation MJB 1/23/2006



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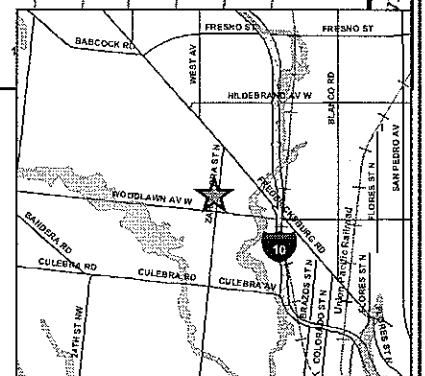
ZONING CASE: Z2006-053 S

City Council District No. 7
 Requested Zoning Change
 From "R-6" To "R-6 S"
 Date: April 18, 2006
 Scale: 1" = 200'

Subject Property
 200' Notification



C:\Mar_7_2006



CASE NO: Z2006053 S

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Zoning Commission Continuance from March 21, 2006

Council District: 7

Ferguson Map: 582 A8

Applicant Name:

Owner Name:

Anthony and Xochipil Monita

Anthony and Xochipil Monita

Zoning Request: From "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a Specific Use for a Daycare Center (Commercial or Nonprofit).

Property Location: The East 35 feet of the North 157 Feet of Lot 24 and the West 25 Feet of the North 157 Feet of Lot 25, Block 7, NCB 1959

1710 W. Magnolia Avenue

Approximate Southwest Corner of W. Magnolia Avenue and N. Zarzamora

Proposal: To Allow a Daycare Center

Neigh. Assoc. Jefferson Neighborhood Association

Neigh. Plan Near Northwest Community Plan

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Consistent

The proposed change in zoning is consistent with the Near Northwest Community Plan, as the request does not require a change in the base residential zoning district. The plan designates the subject property for medium density residential land use.

Denial of R-6 S for a Daycare Center. Staff supports R-6 S for a Group Home Day Care with a maximum of 12 children.

A home day care operation that limits the number of children to 6 is permitted by right in the R-6 zoning district, but a home day care where the number of children exceeds six but limits to the total number to 12 requires a Specific Use Permit. The applicants are seeking a daycare center that is intended to accommodate more than 12 children, and the UDC also allows this type of use in residential zoning districts with the approval of a Specific Use Permit. The subject property is located close to an intersection and next to a corner parcel with existing commercial zoning and uses. Although customer traffic would not have to travel far into the neighborhood and a day care center would not be completely out of character given the presence of Woodlawn Elementary School directly across the street and an existing day care facility next door, staff typically does not encourage the encroachment of commercial uses into existing residential neighborhoods. A daycare center is a commercial use and requires NC, or Neighborhood Commercial, zoning to be permitted by right, but such a request would not be consistent with the Near Northwest Community Plan.

The single family dwelling on the property was built around 1928 and contains just over 1,000 square feet of living space. The lot measures 5,580 square feet and is actually less than the required square footage

CASE NO: Z2006053 S

Final Staff Recommendation - Zoning Commission

required by the R-6 zoning district (6,000). The lot is one lot removed from the intersection of Magnolia Avenue and Zarzamora. The Unified Development Code does require on-premise parking for all home day care facilities at a rate of at least one space for every 375 square feet of gross floor area. The applicant is proposing additional parking on the commercial property immediately to the east to satisfy the parking requirements and has received permission to do so. This additional parking is reflected on the applicant's site plan.

Woodlawn Elementary School, zoned R-6, is directly across the street from the subject property and encompasses the entirety of the north side of Magnolia between Zarzamora and Elmendorf. The lot to the east, which is on the corner, is zoned C-2 NA and has both a tax office and a commercial day care use. The lots to the west are all zoned R-6 and have single family residences as do those to the south on W. Mistletoe. Along Zarzamora, there are several lots with existing office and commercial zoning districts. Some of the lots zoned C-2 converted from the original "F" and later B-2 zoning districts and some have zoning districts that were applied in the late 1960's and early 1970's.

Should the Zoning Commission motion to approve R-6 S for a Daycare Center, staff would recommend the following conditions:

1. The Daycare Center shall not exceed 20 children.
2. Maintain the residential integrity of the front yard, including the lawn, driveway and sidewalk.
3. Encourage off street temporary parking and utilize any available child pick up/drop off in the rear yard by utilizing alley access.
4. Restrict outdoor play areas and playground equipment to the rear yard only.

CASE MANAGER : Matthew Taylor 207.5876

CASE NO: Z2006074

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 9

Ferguson Map: 583 C7

Applicant Name:

Kaufman and Associates, Inc.

Owner Name:

Koontz/McCombs 1, Ltd.

Zoning Request: From "C-2" RIO-1 Commercial River Improvement Overlay District-1 and "R-4" RIO-1 Residential Single-Family River Improvement Overlay District-1 on the West 233.40 Feet of Tract L out of NCB 6015, "C-2" Commercial District on Lot 27, Block A, NCB 6015, and "R-4" Residential Single-Family District on Lots 3 through 12 out of NCB 6096 to "MF-50" Multi-Family District on the West 233.40 Feet of Tract L of NCB 6015 and on Lot 27, Block A, NCB 6015 and "MF-50" RIO-1 Multi-Family River Improvement Overlay District-1 on Lots 3 through 12 out of NCB 6096.

Property Location: The West 233.40 Feet of Tract L, NCB 6015 and Lot 27, Block A, NCB 6015 and Lots 3 through 12 of NCB 6096

4210 Broadway, 135 Groveland and 151 Groveland

Southeast Corner of Broadway Street and E. Hildebrand Avenue

Proposal: To Construct a Condominium Complex

Neigh. Assoc. Mahncke Park Neighborhood Plan

Neigh. Plan Mahncke Park Neighborhood Association

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Inconsistent

The requested multi-family zoning, MF-50, is inconsistent with the land use designation of the subject properties identified in the Mahncke Park Neighborhood Plan. The Plan currently identifies the future land use as neighborhood commercial. However, on March 22, 2006, the Planning Commission unanimously recommended approval of amending the plan from Neighborhood Commercial to Compact Multi-Family Residential. The amendment is scheduled to be heard by the City Council on May 18, 2006. The proposed MF-50 zoning is consistent with the proposed land use designation of Compact Multi-Family Residential.

Approval, contingent on a successful amendment to the Mahncke Park Neighborhood Plan.

The proposed condominium complex use is compatible with the existing zoning and land uses in this area, which includes single-family residential, multi-family residential, office, neighborhood and community commercial, and institutional. Higher densities are generally encouraged along major thoroughfares and Broadway Street continues to transition into a major transit corridor and an extension of the downtown with an increasing mix of uses and densities.

The applicants are proposing a condominium complex consisting of up to 90 units and 24 stories. Underground parking is proposed as are other amenities, and urban design concepts are proposed in terms

CASE NO: Z2006074

Final Staff Recommendation - Zoning Commission

of building location and appearance, landscaping, streetscape and site design. No office or commercial uses are proposed, making the project entirely residential, resulting in a significant reduction in the number of peak hour vehicle trips to and from the subject properties from what was generated by the previous restaurant use.

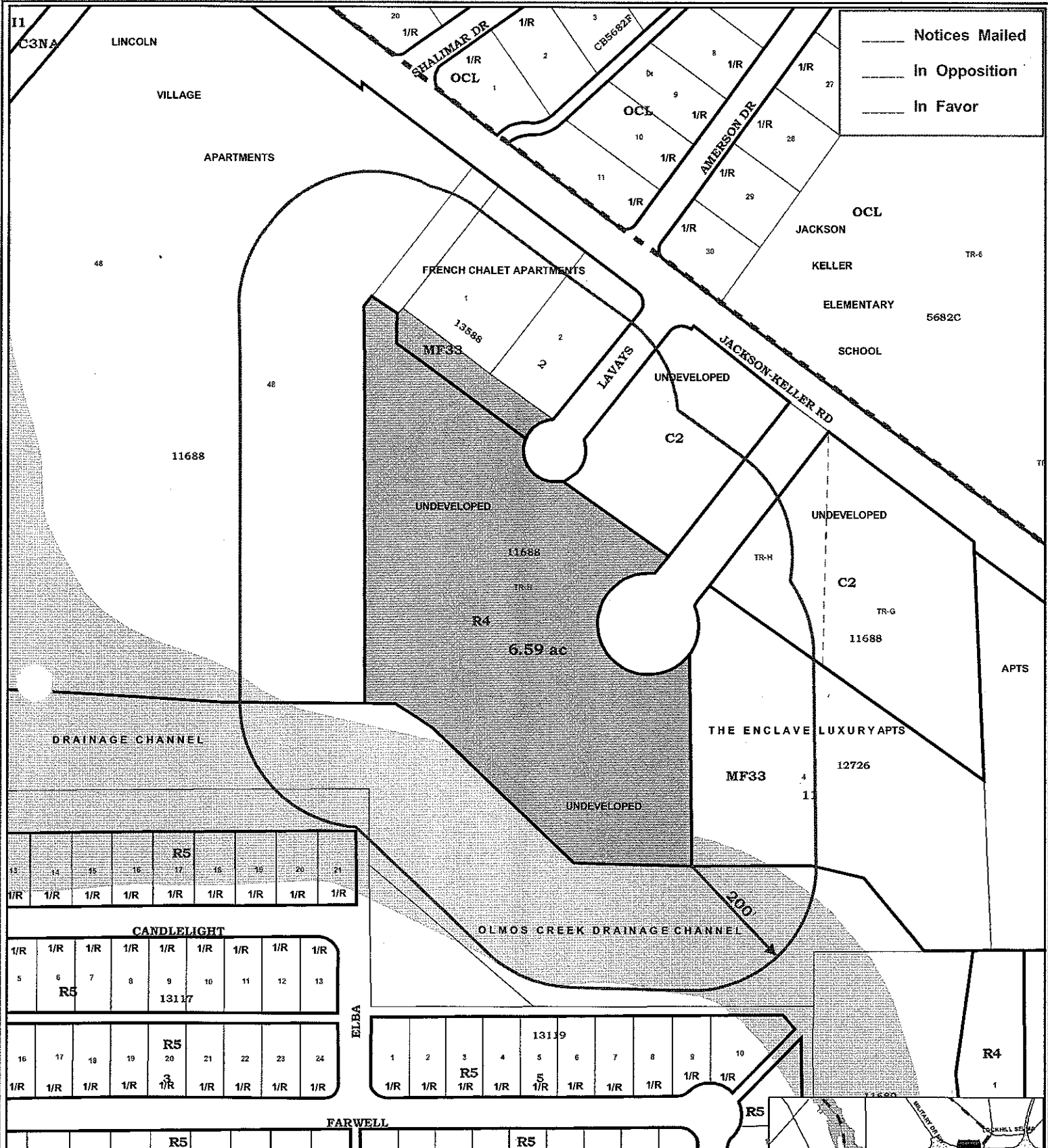
The MF-50 zoning district allows a residential density of up to 50 units per acre and there is no height limit associated with this district. However, the proposed location of the condominium building is within the RIO-1 (River Improvement Overlay District-1), an overlay district which promotes unique design standards and guidelines for properties located near the San Antonio River in order to protect and preserve the river. Accordingly, this overlay does impose a height limit of 60 feet, or 5 stories, which is significantly less than the 24 stories being proposed. Therefore, the applicants are also requesting an amendment to the RIO boundary in addition to a change in the base zoning district. This request is to specifically remove the overlay from Tract L and to apply it to Lots 3 through 12, which front on Groveland Place. Lot 27, which fronts on Hildebrand, is intended to remain outside the overlay. The applicants have proposed re-applying the overlay to that portion of Tract L that fronts on Broadway at a later date. This overlay, which deals more with design criteria and aesthetics more than actual land use, does promote a consistency in the overall character of new development and re-development along Broadway and the intermittent removal or alteration of its boundaries should not be encouraged. However, the northern edge of the overlay ends at the southeast corner of Broadway and Hildebrand, the location of the subject properties, which does not front on the river. In fact, the University of Incarnate Word campus, where the headwaters of the San Antonio River begin, is itself not located within the overlay.

There are existing multi-story buildings in the immediate and general area and some are located within the river improvement overlay. The AT&T building to the west on the west side Broadway is about 10 stories and the Sterling Bank building to the south is about 6 stories, although both buildings pre-date the actual application of the overlay. There are multi-story buildings on the campus of The University of the Incarnate Word and the condominium building to the east of the subject properties at 4001 N. New Braunfels, zoned MF-33, has about 14 stories and an elevation increase of about 30 feet from the intersection of Broadway and Hildebrand, creating an appearance of an even greater height when viewed from points to the west. Further to the west, at Hildebrand and Stadium Drive, is the Olmos Tower condominium complex which is about 15 stories, again a change in elevation gives this building the appearance of having significantly more stories than it does.

Tract L, the former site of Earl Abel's restaurant, fronts on both Broadway and Hildebrand Avenue and has split zoning, the west half having C-2 zoning and the east half having R-4 zoning. The restaurant began operating in the 1940's and closed for business early in 2006, and this entire tract is located within the River Improvement Overlay District-1. The portion zoned C-2 was originally zoned "G," followed by B-2 and then converted to C-2, a conversion that allows this portion of the property to be developed for multi-family use with a density of up to 33 units per acre. The east half of Tract L, Lot 27 and Lots 3 through 12 were originally zoned "B," later converting to R-4 and have remained R-4. Lot 27 is undeveloped, Lots 3 through 10 having been used for restaurant parking and Lots 11 and 12 have an existing single family dwelling.

North of the subject properties, across Hildebrand, are a variety of commercial and office uses with mostly single family residences further north beginning at Davis Court. To the east, also fronting on Hildebrand, is a mix of office and commercial uses with the condominium complex at the corner of Hildebrand and N. New Braunfels Avenue. To the south, across Groveland, are single family residences, a small commercial center and a parking lot for AT&T employees. Further south, from Allensworth on, are mostly single family residences while southward on Broadway is a mix of office, commercial and residential uses. To the west, across Broadway, is an AT&T office complex and, at the northwest corner of Hildebrand and Broadway is the campus of the University of the Incarnate Word, which serves about 5,200 students and has a full time staff of about 600.

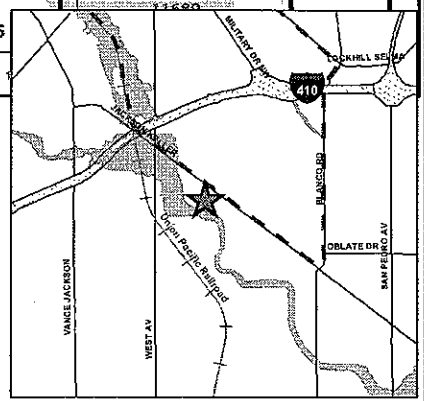
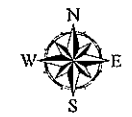
CASE MANAGER : Matthew Taylor 207.5876



ZONING CASE: Z2006-086

City Council District No. 1
 Requested Zoning Change
 From "R-4" and "MF-33"
 To "MF-40"
 Date: April 18, 2006
 Scale: 1" = 200'

Subject Property
 200' Notification



CASE NO: Z2006086

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 1

Ferguson Map: 582 B1

Applicant Name:

Stephen Raub

Owner Name:

Endure Commercial Capital

Zoning Request: From "R-4" Residential Single-Family District and "MF-33" Multi-Family District to "MF-40" Multi-Family District.

Property Location: 6.592 acres out of NCB 11688

1600 Block of Jackson-Keller Road

Jackson-Keller Road, South of NW Loop 410

Proposal: To Develop an Apartment Community

Neigh. Assoc. Dellview Area Neighborhood Association

Neigh. Plan Greater Dellview Area Community Plan

Traffic Impact Analysis

A Traffic Impact Analysis is required and has been submitted.

Staff Recommendation:

Consistent

The proposed MF-40 zoning district is consistent with the land use designation of the property identified in the Greater Dellview Area Community Plan. The Plan identifies this property for mixed use, promoting an integration of residential and commercial uses.

Approval

The proposed multi-family zoning is compatible with the existing multi-family zoning in the immediate area and direct access onto an arterial street is available. Additionally, many commercial services are within a short distance and the proposed development is along a public transit route, with stops in close proximity to the entrance.

The subject property, which has remained undeveloped, was annexed into the city in 1952 and consists of about 6.5 acres. The property is currently zoned R-4, although a small portion of the property adjacent to the French Chalet Apartments to the north is presently zoned MF-33. The R-4 zoning would permit more than 60 units where the proposed multi-family zoning would allow more than 240 units.

The applicant is proposing a multi-family development of about 250 units. In addition to the multi-story apartment buildings, a three story parking garage is also proposed. The MF-40 district has a height limit of 60 feet. The Olmos Creek Drainage Channel abuts the south property line and the remainder of the property is bordered by MF-33 zoning to the east (The Enclave Luxury High Rise Apartments), west (Lincoln Village Apartments) and north (French Chalet Apartments). There is also an undeveloped parcel with existing C-2 zoning to the north that will be incorporated into the overall multi-family development. Jackson-Keller Elementary School and single family dwellings are further north, across Jackson-Keller Road, and are

CASE NO: Z2006086

Final Staff Recommendation - Zoning Commission

located within Castle Hills.

Vehicular access to the property will likely be limited to Lavays Drive, currently a cul-de-sac unavailable for through traffic and used primarily by residents of the French Chalet Apartments for access and overflow parking. The intersection of Lavays and Jackson-Keller is not signalized and, like the 300 or so occupants of The Enclave, residents of this future development will likely be restricted to a single access point onto Jackson-Keller.

CASE MANAGER : Matthew Taylor 207-5876

CASE NO: Z2006071

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Zoning Commission Continuance from March 21, 2006

Council District: 9

Ferguson Map: 583 B1

Applicant Name:

Owner Name:

Peter Markwardt

Edgar and Maxine Markwardt

Zoning Request: From "R-5" Residential Single Family District and "MF-33" Multi-Family District to "C-2" Commercial District.

Property Location: The West 111.7 Feet of Lot 72, the East 100 Feet of Lot 72, the West 75 Feet of Lot 73, the South 120 Feet of the East 118.3 Feet of Lot 73, and the North 100 Feet of the East 118.3 Feet of Lot 73 out of NCB 11884

1422, 1434, 1442 and 1446 E. Sandalwood Lane

Generally Located North of W. Sunset Road Between Teak Lane and Everest Avenue

Proposal: To Construct a Commercial Center

Neigh. Assoc. None

Neigh. Plan None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial

An extension of the commercial retail uses along W. Sunset Road, an existing commercial corridor, to an adjacent local street with established residential uses is not appropriate. Though this area continues to transition from low intensity residential uses to more intense local, community, and regional commercial uses, this transition has not and should not extend to adjacent and established residential areas such as those located on Sandalwood Lane.

The applicants have expressed a willingness to mitigate the potential negative impacts to the surrounding residential properties with restricted access and landscaping. They intend to restrict direct access onto Sandalwood, routing all customer traffic south to Sunset Road and to fence and landscape the frontage of Sandalwood. They also intend to install fencing and landscaping consistent with what is required by a Type "C" buffer along the east and west property lines. If the requested C-2 zoning were approved, Type "B" landscape buffers would be required.

The applicants are proposing the construction of two separate two-story buildings oriented to face south with footprints of about 7,000 and 13,000 square feet. The buildings will have the appearance of being one building from most viewing points and the primary use is proposed to be a furniture show room that supports an existing use owned by the applicants at 343 W. Sunset Road. The applicants own most of the commercial properties to the south that abut the subject properties, and the property with the existing furniture store was zoned B-2 in 2001, later converting to C-2, and the building dates to about 2003. The applicants are proposing to develop the subject property in a manner that supports their existing commercial use and to allow other uses permitted in the C-2 district with available tenant spaces. Some of these other

CASE NO: Z2006071

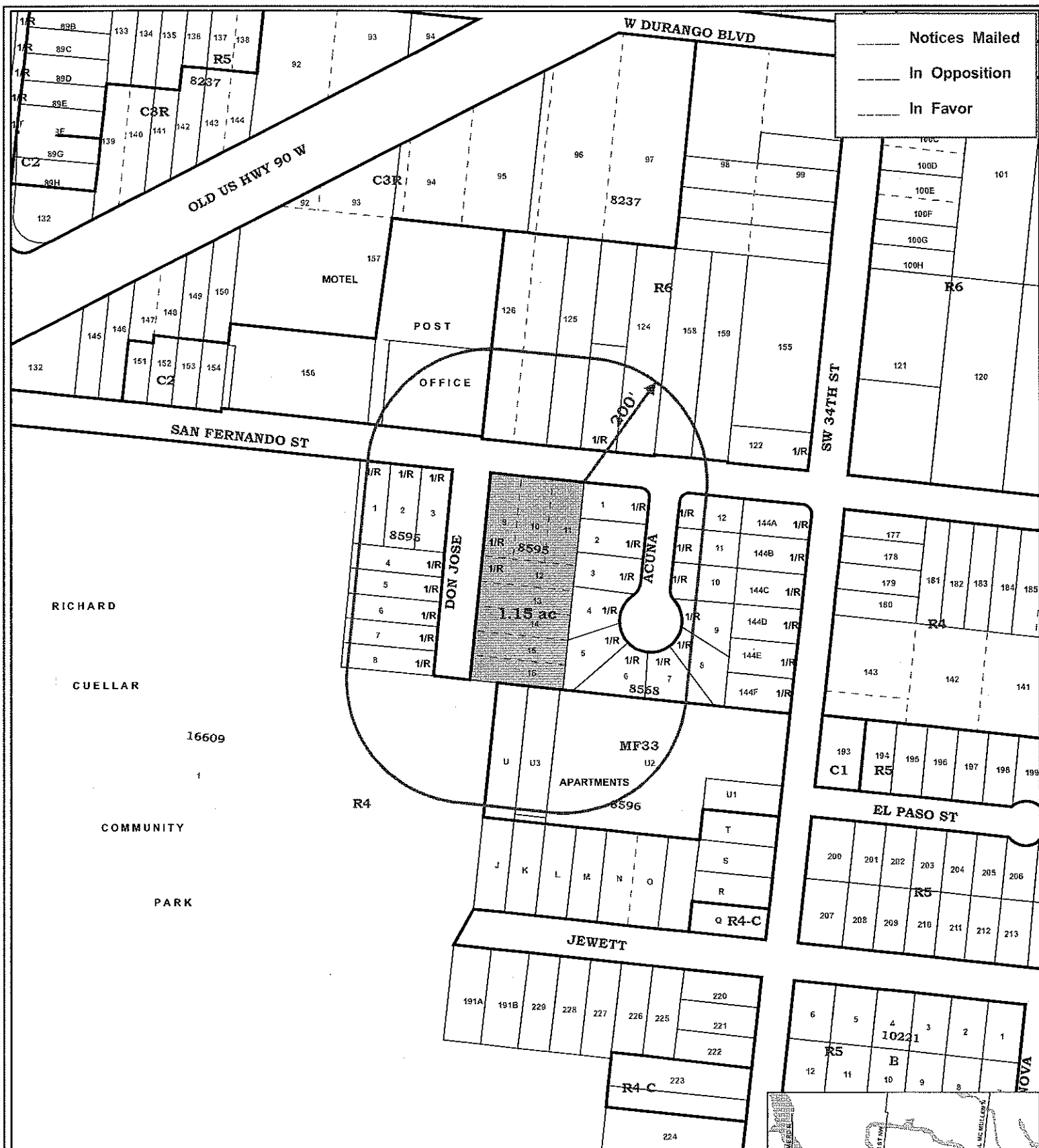
Final Staff Recommendation - Zoning Commission

uses have been identified as a restaurant or sandwich shop, coffee shop, ice cream shop, bakery, antique sales and/or offices.

The subject property includes two lots consisting of 5 undeveloped parcels and totals just under 2 acres. The easternmost 4 parcels, zoned MF-33, were zoned from A to R-3 in 1972, later converting to MF-33 in 2002 following the 2001 adoption of the Unified Development Code. The westernmost parcel, zoned R-5, converted from A in 2002. The parcels with existing MF-33 zoning could have a maximum of about 50 dwelling units should the property be developed for multi-family use and the property with existing R-5 zoning consists of about one-half acre, permitting about 4 single-family units if developed for residential use. All vehicular traffic generated by the residential development of these properties would require direct ingress and egress to Sandalwood Lane. To the west, Sandalwood Lane ends at a large parcel with an existing home improvement center. However, there is no direct access to that property from Sandalwood Lane, as that use fronts on Sunset Road.

The existing apartment complex to the west has multi-family zoning that dates to 1968. Most of the remaining residential lots fronting on Sandalwood have single-family dwellings with construction dates ranging from the 1930's through the early 1970's. The vacant lot directly across the street at 1443 Sandalwood is currently used for vehicle storage and there is a second vacant lot at 1523 Sandalwood zoned C-3 NA SUP. This zoning dates to 1986 and was approved for an outdoor storage yard.

CASE MANAGER : Matthew Taylor 207.5876



ZONING CASE: Z2006-076

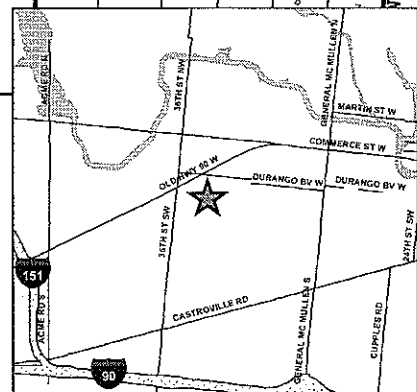
City Council District No. 6
Requested Zoning Change
From "R-4"
To "MF-33"
Date: April 18, 2006
Scale: 1" = 200'

Subject Property

200' Notification



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CASE NO: Z2006076

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Zoning Commission Continuance from April 4, 2006

Council District: 6

Ferguson Map: 615 A5

Applicant Name:

Owner Name:

Eduardo Cadena

Jason Shapiro

Zoning Request: From "R-4" Residential Single-Family District to "MF-33" Multi-Family District.

Property Location: Lots 9 through 16, NCB 8595

5534 San Fernando Street

Southeast Corner of San Fernando Street and Don Jose

Proposal: To Develop an Apartment Community

Neigh. Assoc. Los Jardines Neighborhood Association

Neigh. Plan None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Denial of MF-33, Approval of RM-4

Multi-family developments are most appropriate along arterials or major thoroughfares where supporting infrastructure such as transportation services and commercial facilities are available. Although the subject property is in somewhat close proximity to these services, it is located in an area where low density residential uses are most prevalent. Additionally, the property is located on Don Jose, a local street that deadends at the property's south property line, and San Fernando, a street which serves as a collector but is not identified as an arterial in the city's Major Thoroughfare Plan. The RM-4 zoning district, a mixed residential district, would allow some flexibility in single and multi-family housing types without an increase in density. A multi-family zoning district that would allow 25 or more units per acre would not be appropriate at this location.

The subject property, annexed in 1944, consists of 8 lots combined into one parcel with existing single-family dwellings. Since the property totals about 1.15 acres or about 50,200 square feet, a gross acreage calculation shows that up to about 36 units could be built should the requested MF-33 zoning district be approved. The applicant is proposing to build 8 buildings, each housing 4 units for a total of 32 units. The existing R-4 zoning allows a maximum of 11 units per acre, as does the RM-4 district.

There are 5 existing single family residences to the east that abut the subject property and 6 more single family residences across Don Jose to the west, all zoned R-4. To the north, across San Fernando, there are additional single family units and several undeveloped lots, all zoned R-6. To the south are properties zoned MF-33 and R-4, with an existing apartment complex to the southwest fronting on 34th Street. The existing MF-33 zoning converted from the previous R-3 zoning district in 2002. Don Jose deadends at Richard Cuellar Community Center Park to the south, which is also zoned R-4. There is not vehicular access to the park on Don Jose. Most properties to the east on San Fernando are residential while there is a mix of residential, commercial and public uses along San Fernando to the west, most notably a post office and tire shop.

CASE MANAGER : Matthew Taylor 207-5876

CASE NO: Z2006081 S

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Zoning Commission Continuance from April 4, 2006

Council District: 2

Ferguson Map: 584 E4

Applicant Name:

Owner Name:

Goldfield Property Investmetns, Ltd.

Goldfield Property Investmetns, Ltd.

Zoning Request: From "C-2" Commercial District and "I-1" General Industrial District to "C-3" S General Commercial District with a Specific Use Permit for a Transitional Home.

Property Location: Lot 8, NCB 14525

14703 Goldfield Drive

Northside of Goldfield Drive between Rittiman Road and Industry Park Drive

Proposal: Transitional home

Neighborhood Association: None

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval.

The subject property is located on Goldfield Drive a collector street which is appropriate for high intensity commercial uses. The subject property has an existing commercial building. The surrounding property is currently zoned "I-1" General Industrial District and "C-3" General Commercial District. The "C-3" General Commercial District promotes a broad range of commercial operations and services necessary for large regions of the city, providing community balance. The "C-3" General Commercial District would be appropriate at this location. The transitional home does comply with the provisions of the city code of the City of San Antonio at this site.

Transitional home - A residential facility, differentiated from facilities, sometimes referred to as a rehab center and/or half-way house, which provides onsite supervised lodging for individuals who are required to reside at the facility as a term of parole or under mandatory supervision.

A transitional home established after November 17, 1997, shall not be located within one thousand five hundred (1,500) feet of any public/private elementary, middle or high school, public/private children's day care facility requiring a certificate of occupancy and/or public park. The transitional home shall be staffed twenty four (24) hours a day with one attendant per fifteen (15) parolees. Outdoor activities shall be limited to the hours of 6:00 a.m. until 9:30 p.m. seven (7) days a week. No tenant or parolee may occupy a transitional home in any capacity if previously convicted of a sex oriented crime, child molestation, and/or murder in any degree. A certified survey prepared by a licensed surveyor or licensed engineer showing distance measurements in accordance with this subsection shall be submitted to the director of development services for all transitional homes as part of the application for the certificate of occupancy.

CASE MANAGER : Pedro Vega 207-7980



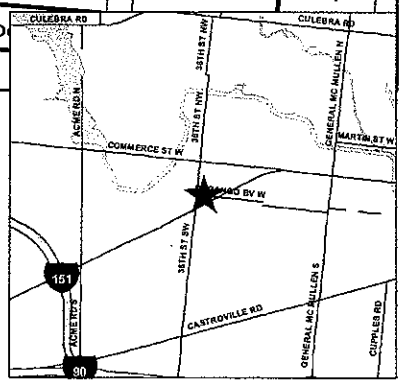
ZONING CASE: Z2006-055

City Council District No. 6
 Requested Zoning Change
 From "R-5" To "R-5" S
 Date: April 18, 2006
 Scale: 1" = 200'

Subject Property
 200' Notification



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CASE NO: Z2006055 S

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 6

Ferguson Map: 615 A4

Applicant Name:

Stephanie E. Bustos

Owner Name:

Juanita E. Bustos

Zoning Request: From "R-5" Residential Single-Family District to "R-5" S Residential Single-Family District with Specific Use Permit for a Group Day Care Home.

Property Location: Lot 1, Block 1, NCB 8246

250 S.W. 36th Street

Proposal: To operate a child day care center

Neigh. Assoc. The Community Workers Council is within 200 feet

Neigh. Plan None

Traffic Impact Analysis:

A traffic impact analysis is not required.

Staff Recommendation:

Approval

The subject property is a single-family residence located on the northeast corner of West Durango Boulevard and Southwest 36th Street, a Secondary Arterial "Type B" road and a Local Residential Street respectively. The applicant is requesting the rezoning for a Special Use Permit to operate a Group Day Care Home. The "R-5" S zone would retain the residential base zone while allowing the child care component as a home occupation. Per the Unified Development Code, the requested "R-5" S would allow the applicant to care for up to 12 children at one time on the subject property. Given the location of the subject property, which is at the corner of an arterial and residential street, this use should not cause additional traffic within the neighborhood.

The subject property was built on approximately 1958 and contains 1376 square feet of living area according to the Bexar Appraisal District. The lot measures 7510 square feet in size, which is well over the required square footage in an "R-5" district. The Unified Development Code does require on-premise parking for home day care operations at a rate of at least one space for every 375 square feet of gross floor area.

Staff has been in discussions with the applicant regarding some property deficiencies that should be addressed prior to conducting the group day care home at this location. The driveway area to the north lot line is in need of major repair. There are areas that are unsafe due to the exposed jagged concrete. Additionally, the grass area of the rear property should be improved, with some form of softscape for the play area. The construction of a privacy fence will also be required, per UDC provisions. The applicant is aware of these concerns and has indicated that these improvements will be made prior to initiating operation of the day care. The surrounding zoning is "R-5" Single-Family Residential, with commercial zoning on Old U.S. Highway 90 West, which is two blocks to the south.

Should the Zoning Commission recommend approval R-6 S, staff would recommend the following conditions:

1. The home day care shall not exceed 12 children.

CASE NO: Z2006055 S

Final Staff Recommendation - Zoning Commission

2. Maintain the residential integrity of the front yard (west side of the property fronting on S.W. 36th Street), including the lawn and driveway.
3. Encourage off street temporary parking and child pick up/drop off the side-yard of the property (south side of the subject property fronting West Durango Boulevard).
4. Restrict outdoor play areas and playground equipment to the rear yard only.
5. Pave driveway area and provide adequate lawn coverage or softscape material to the rear of the property.

Additionally, a site plan review has been conducted by the Development Services Department, and they have added some additional site specific recommendations. These recommendations, which are listed below, will be required to be met at the permitting stage:

1. Four on-site parking spaces, one of which must be handicap accessible, should be constructed. These are recommended at the side-yard of the subject property, off West Durango Boulevard.
2. The paved driveway must be two-way and 24 feet wide at minimum.
3. The public sidewalk must meet the Americans with Disabilities Act requirements.

On March 22, after much discussion with staff, the applicant amended their request from R-5 S for a day care center to R-5 S for a group day care home. The specific use permit for a day care center would allow a greater than 12 children to be cared for at one time. A group day care home would cap the number of children to 12.

CASE MANAGER : Rudy Nino, Jr. 207-8389

CASE NO: Z2006085

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 5

Ferguson Map: 616 A6

Applicant Name:

Owner Name:

Luis Antonio Rodriguez

Luis Antonio Rodriguez

Zoning Request: From "R-4" Residential Single-Family District to "C-3" General Commercial District.

Property Location: Lots 7A, 7B, 8A and 8B, NCB 2432

616 and 620 Elvira Street

Southeast corner of Elvira Street and South Navidad Street

Proposal: Auto electrical repair shop

Neighborhood Association: Avenida Guadalupe Association, Inc.

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

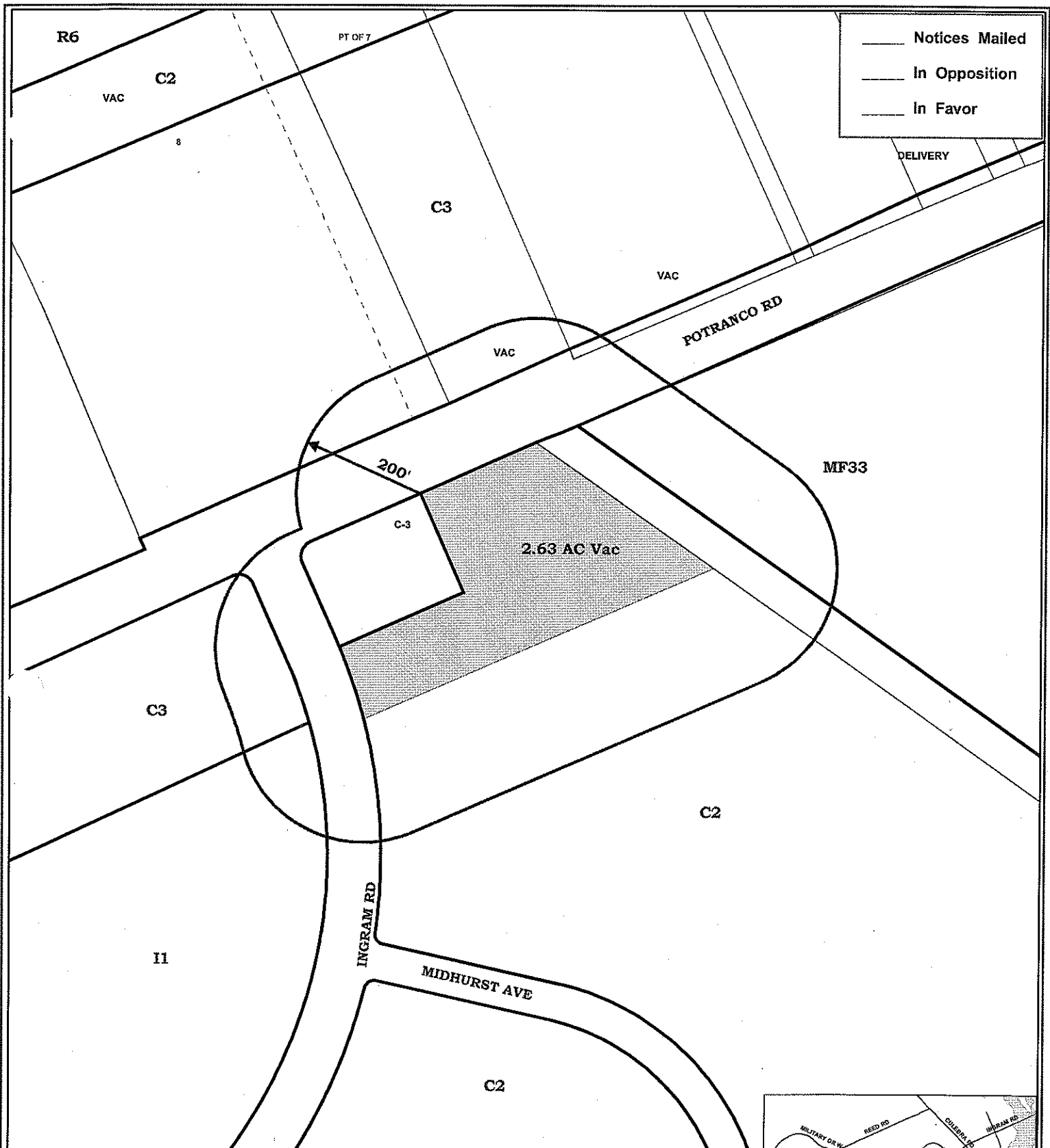
Staff Recommendation:

Denial

The applicant wishes to use the property for the expansion of an existing electrical auto repair shop (Rodriguez Electrical Repair) located at 2021 Guadalupe Street. The subject properties are adjacent to "R-4" Residential Single-Family District to the east and across Elvira Street to the north, "C-3 NA" General Commercial Nonalcoholic Sales District and "C-2" Commercial District to the south with "C-3 NA" General Commercial Nonalcoholic Sales District across South Navidad to the west and across Guadalupe Street to the south. The "C-3" General Commercial District would not be appropriate at this location.

"C-3" districts are designed to provide for more intensive commercial uses than those located within the "NC", "C-1" and "C-2" zoning districts. The "C-3" General Commercial District is a regional commercial district and is not appropriate being in such close proximity to single-family dwellings.

CASE MANAGER : Pedro Vega 207-7980



ZONING CASE: Z2006-087

City Council District No. 6
 requested Zoning Change
 from "C-2"
 To "C-3"

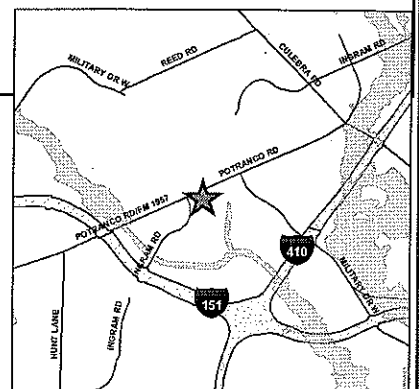
Date: April 18, 2006

Scale: 1" = 200'

- Subject Property
- 200' Notification



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CASE NO: Z2006087

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 6

Ferguson Map: 613 C2

Applicant Name:

Owner Name:

Park 410 Westplex, JV

Park 410 Westplex, JV

Zoning Request: From "C-2" Commercial District to "C-3" General Commercial District.

Property Location: P-27, NCB 15329

8300 Block of Potranco

Potranco and Ingram Road

Proposal: For commercial development

Neigh. Assoc. None

Neigh. Plan None

Traffic Impact Analysis:

A Traffic Impact Analysis is not required. A TIA will be required at Platting or Building Permits

Staff Recommendation:

Approval. The property is located at the intersection of two arterials. The property has C-2 and C-3 zoning to the north, west and south. There is a drainage easement to the east which serves as a buffer between the commercial zoning and the multi-family use to the east. This is part of a large commercial MDP.

CASE MANAGER : Richard Ramirez 207-5018

CASE NO: Z2006089

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 2

Ferguson Map: 618 F5

Applicant Name:

Lou Miller

Owner Name:

Lou Miller

Zoning Request: From "O-2" Office District to "C-2" Commercial District.

Property Location: Lot 18, Block 29, NCB 10628

4458 East Houston Street

South side of East Houston Street

Proposal: Barber and beauty suites and small retail suites for start up businesses.

Neighborhood None

Association:

Neighborhood Plan: None

Traffic Impact Analysis

A traffic impact analysis is not required.

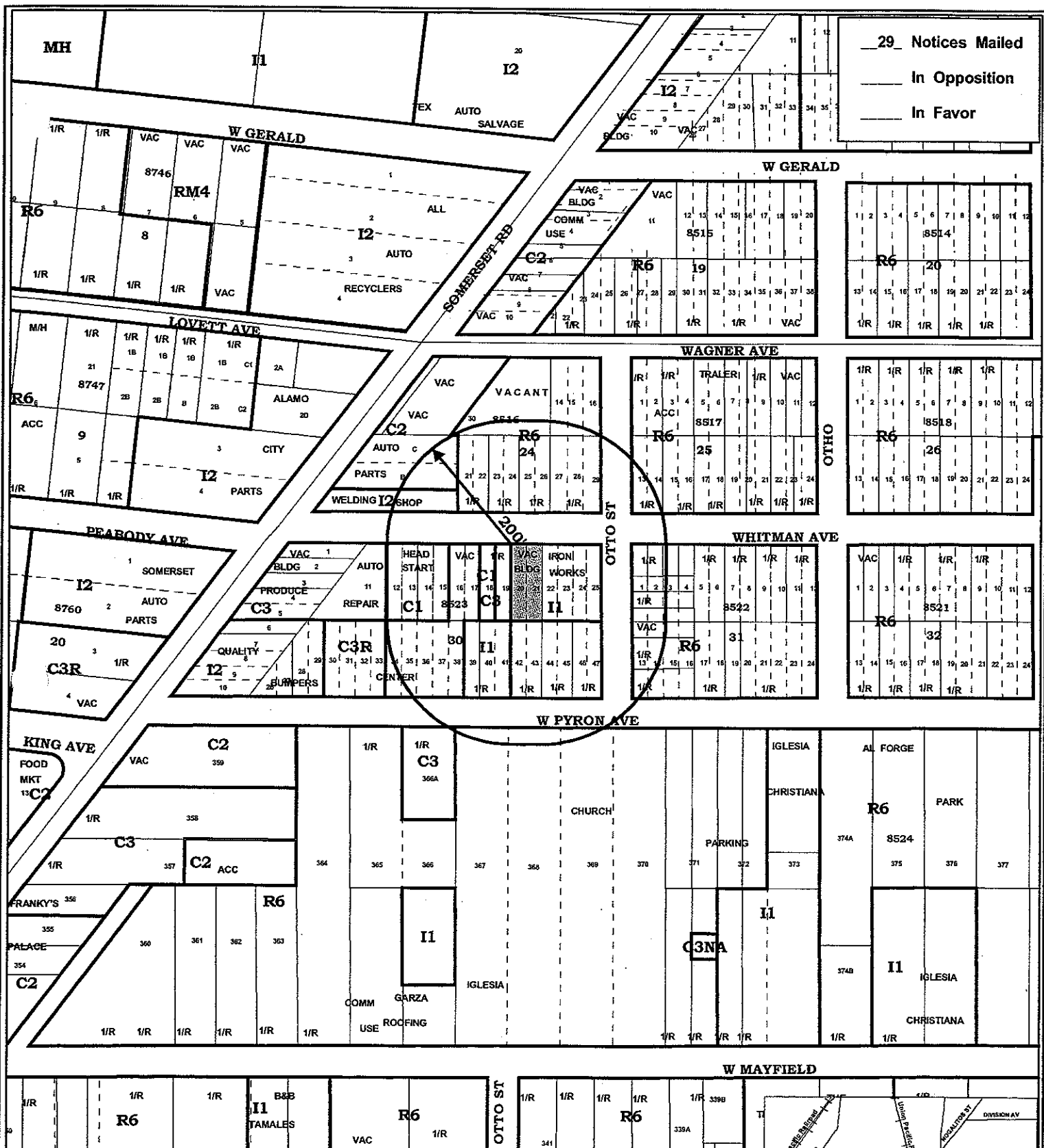
Staff Recommendation:

Denial of "C-2" Commercial District and Approval of "NC" Neighborhood Commercial District

The subject property is currently being use as an office. "C-2" districts accommodate commercial and retail uses that are more intensive in character than "NC" and "C-1" uses, and which generate a greater volume of vehicular traffic and/or truck traffic. The "NC" Neighborhood Commercial District provides small areas for offices, professional services, service and shop front retail uses, all designed in scale with surrounding residential uses. The "NC" district regulations are designed to protect and encourage the transitional character of the districts by permitting a limited group of uses of a commercial nature and to protect the abutting and surrounding residential areas. The "NC" Neighborhood Commercial District would be appropriate at this location.

The subject property was originally zoned "A" Single-Family Residence District and was zoned "O-1" Office District in 1987. The "O-1" Office District later converted to "O-2" Office District in February of 2002 upon adoption of the current UDC. The applicant is requesting "C-2" Commercial District in order to provide a wider variety of office and retail uses.

CASE MANAGER : Pedro Vega 207-7980



ZONING CASE: Z2006-091 CD

City Council District No. 4

Requested Zoning Change

From "I-1"

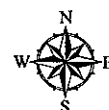
To "C-1" CD

Date: April 18, 2006

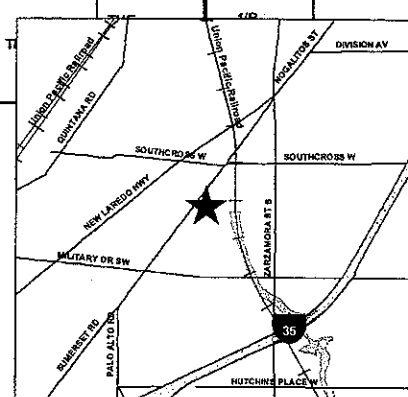
Scale: 1" = 200'

Subject Property

200' Notification



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CASE NO: Z2006091 CD

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 4

Ferguson Map: 649 E6

Applicant Name:

Richard R. Whitcher, Jr.

Owner Name:

Richard R. Whitcher, Jr.

Zoning Request: From "I-1" General Industrial District to "C-1" (CD - Auto and Light Truck Repair) Commercial District with a Conditional Use for Auto and Light Truck Repair.

Property Location: Lots 20 and 21, Block 30, NCB 8523

1610 Whitman Ave.

Proposal: For a transmission repair service facility

Neigh. Assoc. None

Neigh. Plan None

TIA Statement: A traffic impact analysis is not required.

Staff Recommendation:

Approval

The applicant is bringing this rezoning case forward in an effort to bring the property into compliance. The current I-1 zoning does not allow the current use, which is a transmission repair facility. The facility has been in operation for approximately 3 years without a Certificate of Occupancy according to the owner. On 12/10/05, the applicant was cited for operating without a Certificate of Occupancy.

The subject property is located in the center of Whitman Avenue, a local residential street, just east of Somerset Road. The property to the north side of the block is zoned R-6; I-1 to the east; R-6 and I-1 to the south; and C-1, C-3, and R-6 to the west. However, the surrounding land uses are predominately single-family residential. The property to the immediate east is currently a welding shop. A commercial building is currently on the subject property.

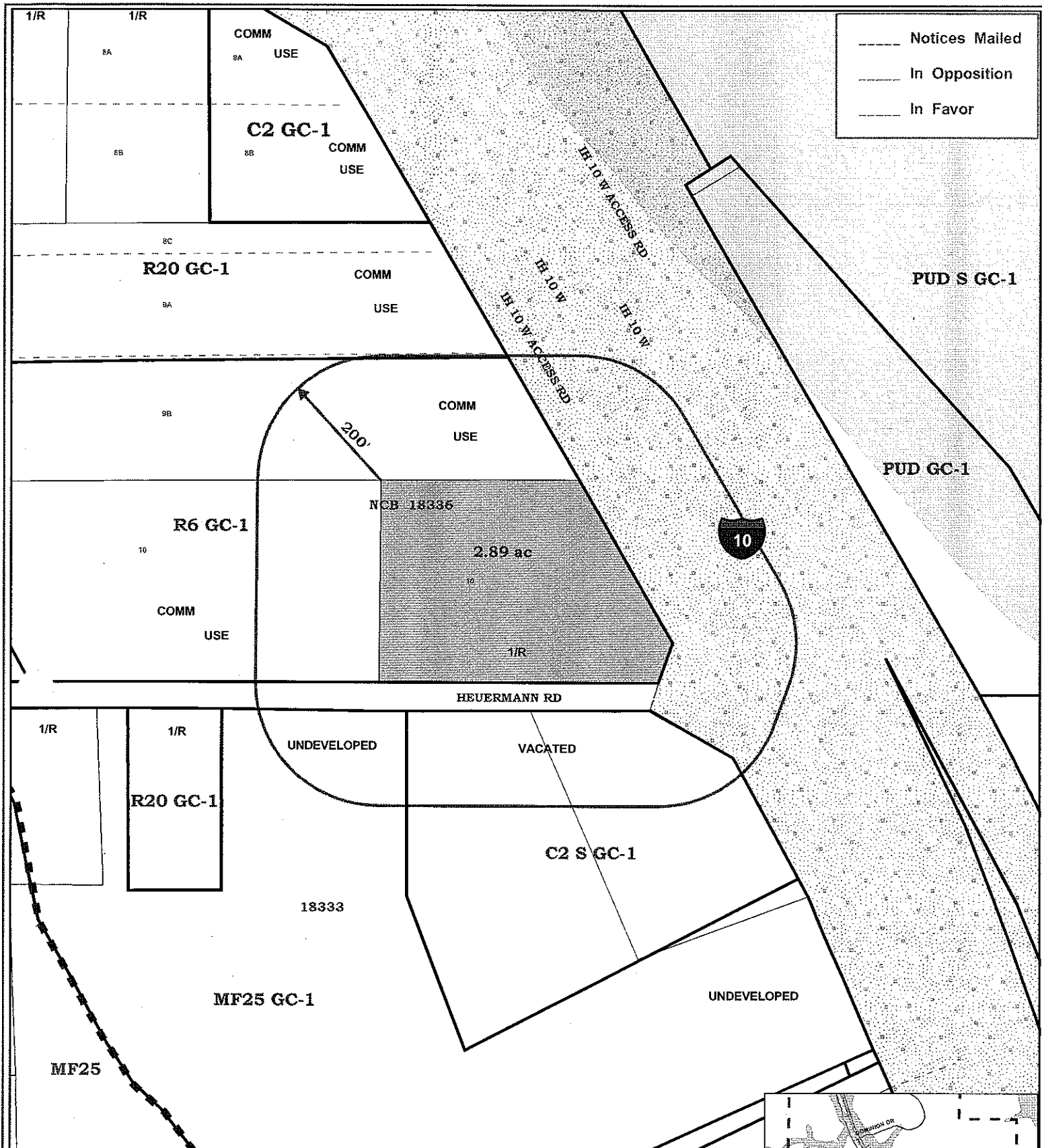
The applicant has been in frequent contact with staff regarding this rezoning case. The applicant's initial request was for C-3 General Commercial District. After discussion regarding the inconsistent nature of C-3 zoning within a neighborhood, Staff recommended, and the applicant amended their application to, C-1 C with a Conditional Use for Light Truck and Auto Repair. The amended request represents a beneficial down-zoning from the current I-1 district and provides a compatible zoning option for the adjacent uses. If the automotive repair use cease for twelve consecutive months, C-1 uses, as proscribed within the UDC, should provide compatible retail and service uses at this location.

Should the Zoning Commission recommend approval of C-1 C, staff recommends the following conditions:

1. Days and hours of operation should be limited to Monday through Saturday from 8:00 a.m. to 6:00 p.m.
2. All parking and storage of vehicles should be on-site only.
3. Outdoor lighting should be directed as to illuminate subject property only.
4. Each vehicle limited to 3 months maximum for storage.
5. No storage of junk vehicles shall be allowed.

The subject property was annexed by the City of San Antonio in 1944. It was rezoned to I-1 in 1977.

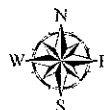
CASE MANAGER : Rudy Nino, Jr. 207-8389.



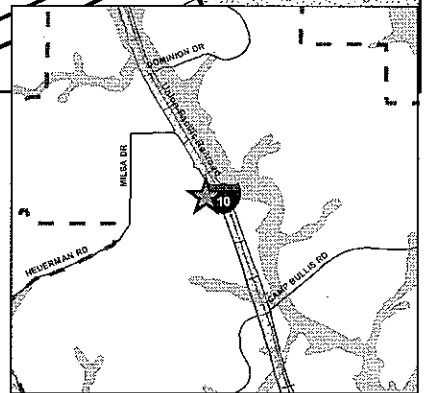
ZONING CASE: Z2006-092

City Council District No. 8
 Requested Zoning Change
 From "R-6" GC-1
 To "C-3" GC-1
 Date: April 18, 2006
 Scale: 1" = 200'

- Subject Property
- 200' Notification



C:\Apr. 4, 2006



CASE NO: Z2006092

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 8

Ferguson Map: 480 A6

Applicant Name:

David Kramer

Owner Name:

David Kramer

Zoning Request: From "R-6" GC-1 Residential Single-Family Gateway Corridor District-1 to "C-3" GC-1 General Commercial Gateway Corridor District-1.

Property Location: The East Irregular 311 Feet of the North Irregular 321.3 Feet of Lot 10, NCB 18336
20985 IH 10 West

Northwest Corner of IH 10 West and Heuermann Road

Proposal: To Develop a Commercial Shopping Center, Offices, Restaurants and Entertainment Uses

Neigh. Assoc. Friends of Friedrich Wilderness Park

Neigh. Plan None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

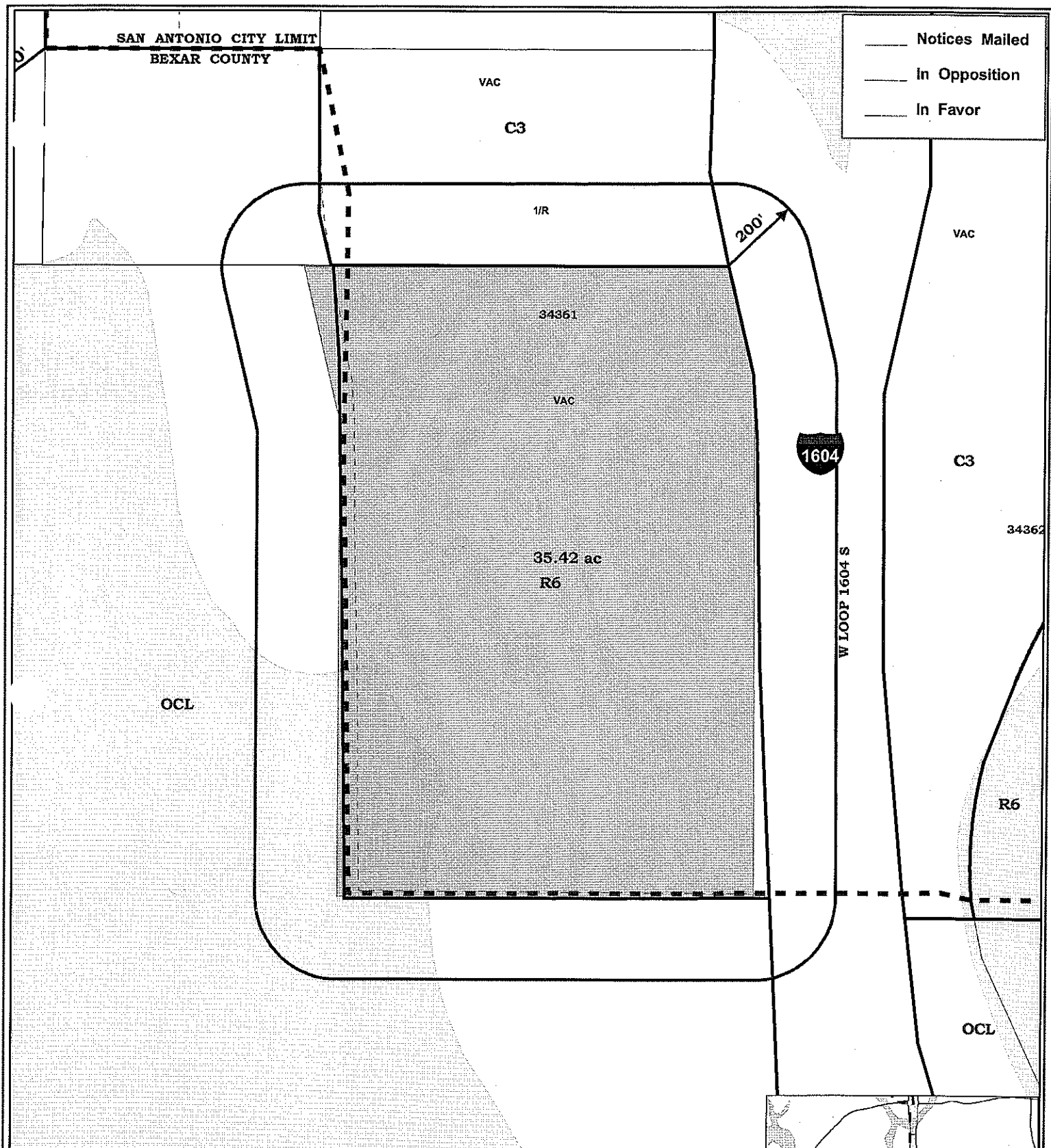
Denial of C-3, Approval of C-2

A commercial district is appropriate along his portion of the IH 10 frontage, as much of the western frontage along IH 10 from Boerne Stage Road south to Camp Bullis Road has several parcels with existing commercial zoning and uses. However, the majority of retail and service uses identified as permitted uses in the C-3 zoning district are also permitted by right in the C-2 district. Locally-oriented commercial uses permitted by C-2 zoning would be more appropriate at this location than the regional uses permitted by a C-3 zoning given the extent of the existing single family residential development in the area from Milsa Drive south to Heuermann Road, extending west to the boundary of Friedrich Park. Additionally, Heuermann Road, like Milsa and Oak Drives, serves as a highly visible and efficient access point leading to the park and is frequently used by visitors in addition to local residents. Among those regional uses permitted by the C-3 district and not in C-2 are nightclubs, dance halls, automobile and truck repair and service, wholesaling, feed stores, indoor flea markets, home improvement centers, body piercing, and tattoo and massage parlors. The applicants are requesting general commercial to develop a commercial shopping center with retail and service, office, restaurant and entertainment uses.

The subject property was annexed into the city in 1998 with R-1, temporary residential zoning, which converted to R-6 following the 2001 adoption of the Unified Development Code. The gateway corridor overlay was applied in 2003, and this parcel is located entirely within the overlay. There is an existing single family residence on the property that dates to about 1975. The subject property is surrounded by a large parcel zoned R-6 but with a commercial contractor use, River Oak Pools. Further to the north are additional parcels with commercial zoning, some still undeveloped and some with existing service uses. To the south are parcels zoned MF-25 and C-2. These districts were approved by the City Council in May of 2005, with a hotel use proposed for the parcel zoned C-2 as a specific use.

A successful rezone of the property to C-3 will require a Type "C" buffer along the north and west property lines, as the adjacent property is also zoned R-6. The installation of a Type "B" buffer would similarly apply with the approval of a C-2 zoning.

CASE MANAGER : Matthew Taylor 207-5876



ZONING CASE: Z2006-094

City Council District No. 4

Requested Zoning Change

From "R-6"

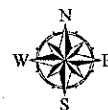
To "C-3"

Date: April 18, 2006

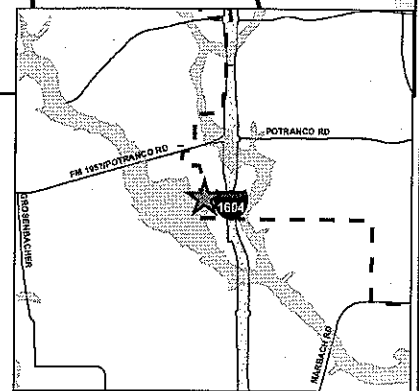
Scale: 1" = 500'

Subject Property

200' Notification



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CASE NO: Z2006094

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 4

Ferguson Map: 612 A5

Applicant Name:

Kaufman & Associates, Inc.

Owner Name:

Steve Persyn

Zoning Request: From "R-6" Residential Single-Family District to "C-3" General Commercial District.

Property Location: P-9, NCB 34361

325 South Loop 1604

South west of the intersection of Loop 1604 and Potranco

Proposal: To develop a commercial project

Neigh. Assoc. None

Neigh. Plan None

Traffic Impact Analysis:

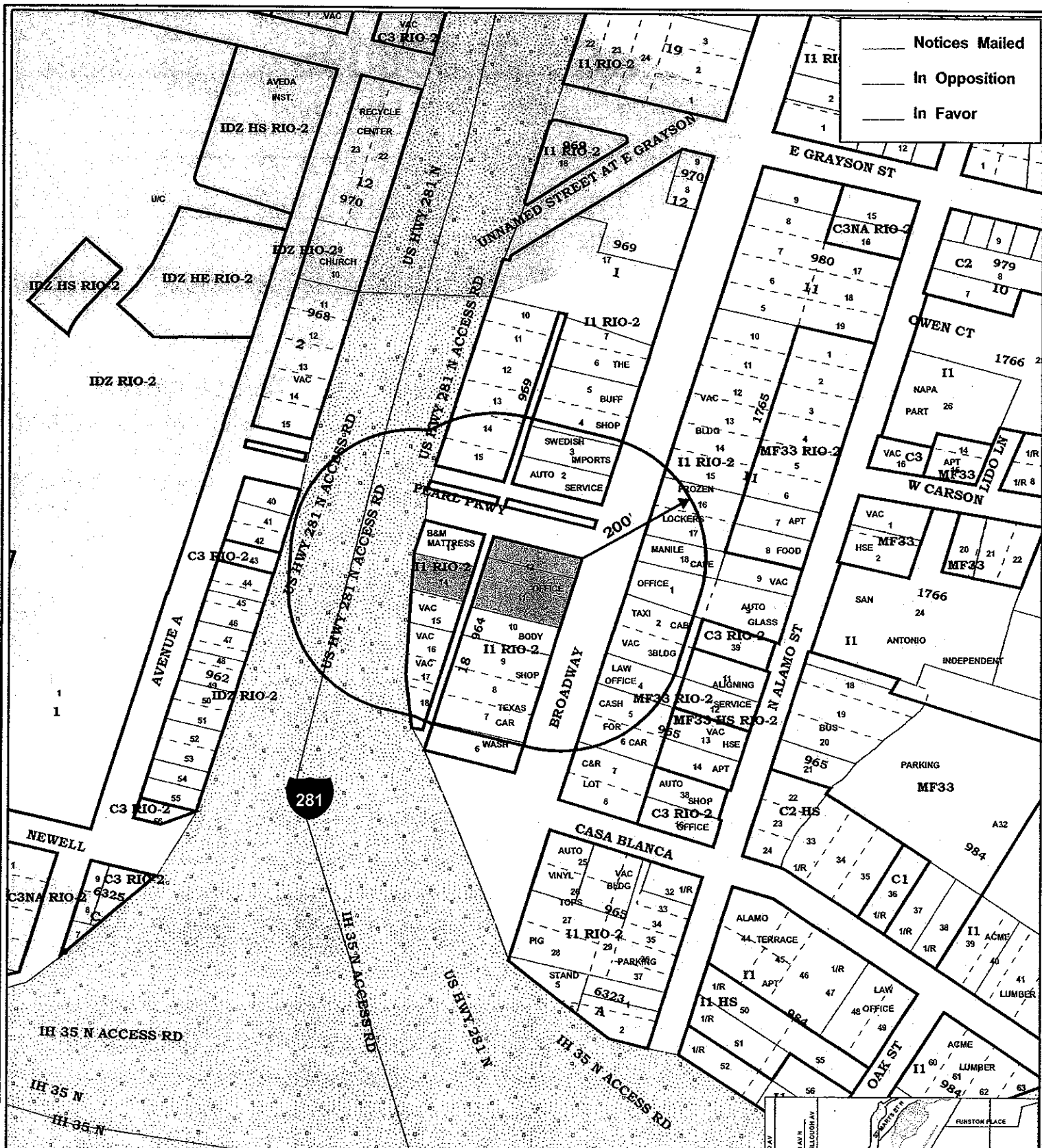
A Traffic Impact Analysis is required

Staff Recommendation:

Pending TIA review.

This rezoning completes the commercial node at Potranco and Loop 1604. The property has a flood basin to the west, C-3 zoning to the north and Loop 1604 to the east. This intersection has had three zoning cases (Z2004145, Z2004262 and Z2005073) which has created the commercial node and is further contained by natural constraints and the City Limits.

CASE MANAGER : Richard Ramirez 207-5018



ZONING CASE: Z2006-095

City Council District No. 2

Requested Zoning Change
From "I-1" RIO-2

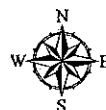
To "IDZ" RIO-2

Date: April 18, 2006

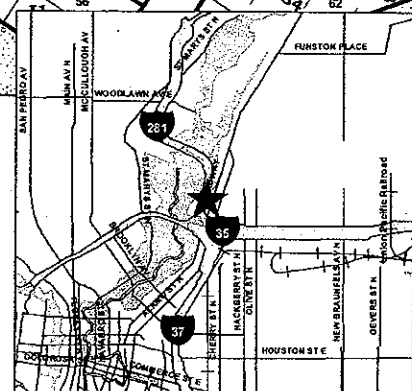
Scale: 1" = 200'

Subject Property

200' Notification



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CASE NO: Z2006095

Preliminary Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 2

Ferguson Map: 617 A2

Applicant Name:

H. Glenn Huddleston

Owner Name:

H. Glenn Huddleston

Zoning Request: From "I-1" RIO-2 General Industrial River Improvement Overlay District-2 to "IDZ" RIO-2 Infill Development Zone River Improvement Overlay District-2

Property Location: Lots 11 and 12, the South 14.5 Feet of Lot 13, and the North 45 Feet of Lot 14, Block 18, NCB 964

1625-1639 Broadway and 1616 Avenue B

Intersection of Broadway and Pearl Parkway

Proposal: For a Mixed Use Project

Neighborhood None

Association:

Neighborhood Plan: None

TIA Statement: A Traffic Impact Analysis is not required.

Preliminary Staff Recommendation / SUBJECT TO CHANGE:

Approval.

The subject property is currently vacant. It is comprised of a vacant building on lots 11 and 12, as well as two undeveloped lots to the north and west. To the north and east of the property are areas zoned industrial, and to the south and west is the Highway 281/I-35 Intersection. The surrounding zoning is currently I-1.

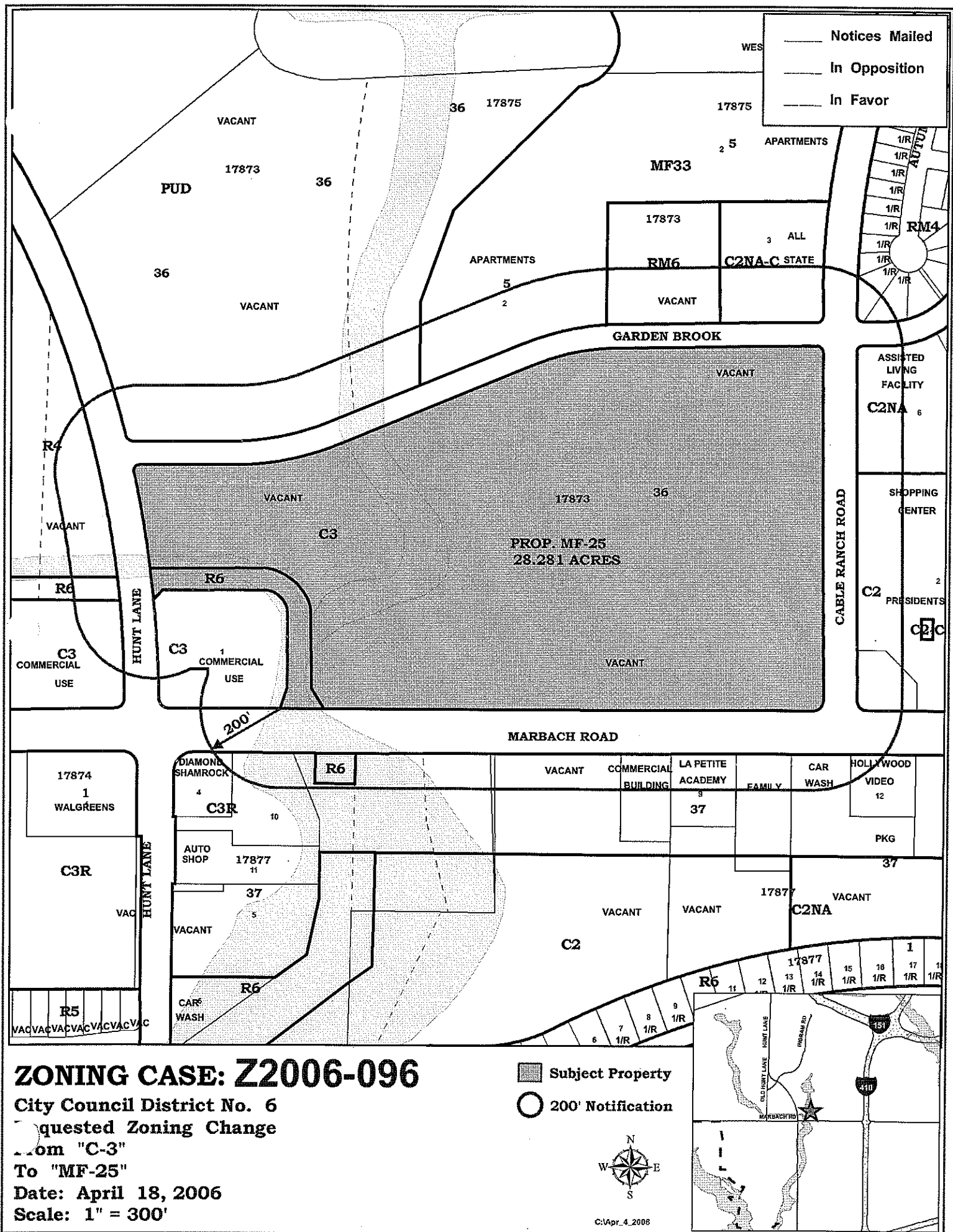
The applicant is requesting IDZ Infill Development Zone District in order to create a mixed-use development. This request is compatible with the similar commercial development along the Broadway corridor, and should compliment the nearby infill development project at the Pearl Brewery. Continued infill projects such as this one will contribute to the area's revitalization.

IDZ districts are intended to provide a flexible approach for inner-city infill development projects. The current code requirements could make the redevelopment of these parcels difficult due to the nature of the properties. The IDZ district provides flexibility to the property owner in adhering to several typical development requirements, such as, setback limitations, parking, parks and open space, and buffer requirements.

This inner-city area of San Antonio is currently undergoing extensive redevelopment. Several residential, commercial, and mixed-use redevelopment projects are currently underway. Thus, given the evolving mixed-use development pattern in the area, and the subject property's location, the requested zoning and proposed development is compatible.

The subject properties were zoned "K" under the provisions of the 1938 zoning code. "K" was subsequently reclassified to "I-1" upon adoption of the 2001 Unified Development Code.

CASE MANAGER : David Clear 207-7442



CASE NO: Z2006096

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 6

Ferguson Map: 613 B-6

Applicant Name:

Bexar Odyssey Investments, LLC

Owner Name:

Bexar Odyssey Investments, LLC

Zoning Request: From "C-3" General Commercial District and "R-6" Residential Single-Family District to "MF-25" Multi-Family District.

Property Location: Parcel P-1, NCB 17873

8777 Marbach Road

Northside of Marbach Road between Cable Ranch Road and Hunt Lane

Proposal: Multi-family complex

Neighborhood Association: Rainbow Hills Neighborhood Association is within 200 feet

Neighborhood Plan: None

Traffic Impact Analysis

A Traffic Impact Analysis is not required. One may be required at the plat/building permit stage.

Staff Recommendation:

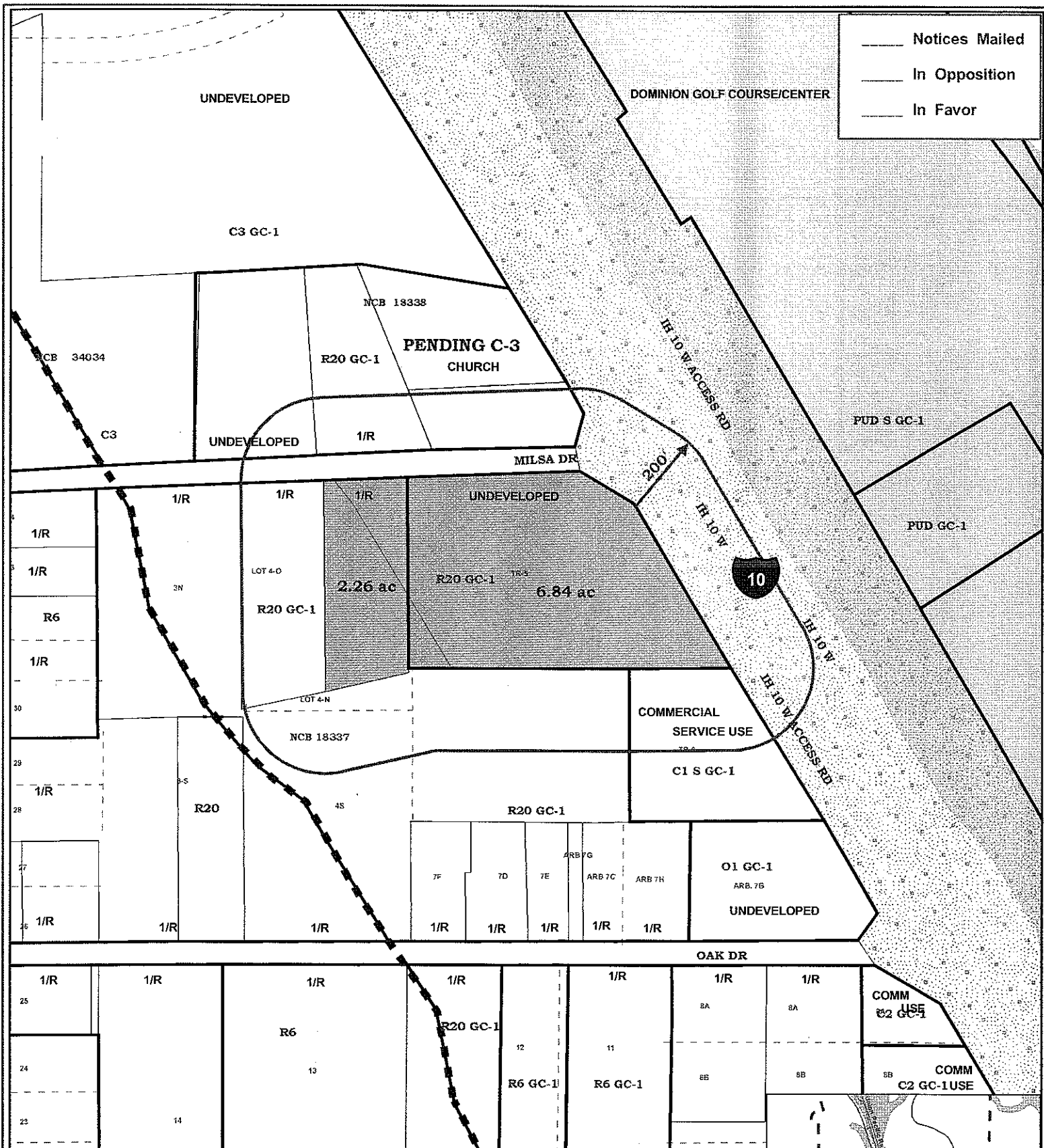
Approval

The subject property is currently undeveloped and located along Marbach Road a major thoroughfare. The subject property is adjacent to "C-3" General Commercial District to the south west. The property to the north is zone "MF-33" Multi-Family District (multi-family dwellings). The purpose of the rezoning is to develop a multi-family community on the subject property. The "MF-25" Multi-Family District is a down-zoning and would be appropriate at this location.

Multi-family residence limited density "MF-25" district is the designation for a multi-family use with a maximum density of up to 25 units per acre, depending on unit size. An "MF-25" district designation may be applied to a use in a residential neighborhood that contains a mixture of single family and multi-family uses or in an area for which limited density multi-family use is desired. An "MF-25" district designation may be applied in a centrally located area near supporting transportation and commercial facilities,

The subject property was originally zoned Temporary "R-1" Single-Family Residence District and was zoned "B-3" Business District in 1986. The Temporary "R-1" Single-Family Residence District and "B-3" Business District later converted to "R-6" Residential Single-Family District and "C-3" General Commercial District in February of 2002 upon adoption of the current UDC.

CASE MANAGER : Pedro Vega 207-7980



ZONING CASE: Z2006-099 CD

City Council District No. 8

Requested Zoning Change

From "R-20" GC-1

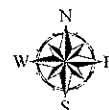
To "C-2" CD GC-1

Date: April 18, 2006

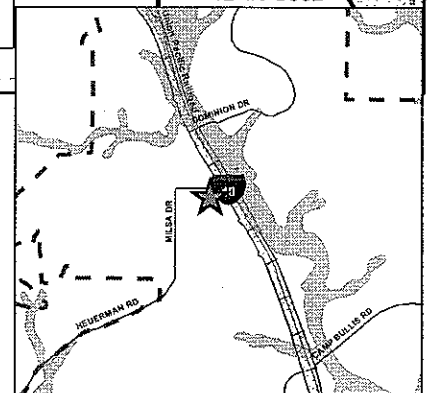
Scale: 1" = 300'

Subject Property

200' Notification



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CASE NO: Z2006099 CD

Final Staff Recommendation - Zoning Commission

Date: April 18, 2006

Council District: 8

Ferguson Map: 480 A5

Applicant Name:

Owner Name:

Brown, P. C.

Bagheri Brothers, Inc. and Phillip Knaupp

Zoning Request: From "R-20" GC-1 Residential Single-Family Gateway Corridor District-1 to "C-2" GC-1 (CD-Auto Sales New) Commercial Gateway Corridor District-1 with a Conditional Use for a New Automobile Dealership.

Property Location: 6.841 Acres out of NCB 18337 and 2.271 Acres out of NCB 35733

21587 IH 10 West and 21660 Milsa Drive

Southwest Corner of IH 10 West and Milsa Drive

Proposal: To Develop a New Automobile Dealership

Neigh. Assoc. Friends of Friedrich Wilderness Park

Neigh. Plan None

Traffic Impact Analysis

A Traffic Impact Analysis is not required.

Staff Recommendation:

Approval

A rezone to a commercial district is appropriate along his portion of the IH 10 frontage, as much of the western frontage along IH 10 from Boerne Stage Road south to Camp Bullis Road has several parcels with existing commercial zoning and uses. Locally-oriented commercial uses permitted in the C-2 zoning district either by right, as a conditional district or under a specific use permit are more appropriate at this location than an outright rezone to the C-3 district given the extent of the existing single family residential development in the area from Milsa Drive south to Heuermann Road, extending west to the boundary of Friedrich Park. Additionally, Milsa Drive serves as a highly visible and efficient access point leading to the park and is frequently used by visitors in addition to local residents. Among those regional uses permitted by the C-3 district and not in C-2 are nightclubs, dance halls, automobile and truck repair and service, wholesaling, feed stores, indoor flea markets, home improvement centers, body piercing, and tattoo and massage parlors. The applicants are requesting a conditional C-2 district to allow an automobile dealership.

The subject properties were annexed into the city in 1998 with R-8, a single family residential zoning district that converted to the R-20 district following the 2001 adoption of the Unified Development Code. The gateway corridor overlay was applied in 2003, and the subject properties are located entirely within the overlay. The property located at 21587 IH 10 consists of about 6.8 acres and is not currently in use. The property at 21660 Milsa Drive, which abuts this property to the west, consists of just over 2 acres and has an occupied single family dwelling that dates to about 1960.

There is a church located to the north, across Milsa Drive, currently zoned R-20, but there is a pending zoning case (Z2006064) on this property with a request for C-3. Further north are large undeveloped lands zoned C-3. To the south, along the frontage of IH 10, are several properties with existing office and

CASE NO: Z2006099 CD

Final Staff Recommendation - Zoning Commission

commercial zoning, some with established commercial uses that are mostly service-oriented. To the west, along Milsa Drive, is a mix of existing uses, most of these being single family residential in nature. The parcels abutting the subject properties immediately to the west have existing single family dwellings.

A successful rezone of the property to C-2 will require a Type "B" buffer along the west and part of the south property lines. However, since the requested use requires a C-3 zone to be permitted by right, a Type "C" landscape buffer should be required.

CASE MANAGER : Matthew Taylor 207-5876